

Bill as Introduced

HB 1425 - AS INTRODUCED

2012 SESSION

12-2164
10/05

HOUSE BILL

1425

AN ACT

relative to the creation or elimination of employment positions in Hillsborough county government.

SPONSORS:

Rep. Kurk, Hills 7

COMMITTEE:

Municipal and County Government

ANALYSIS

The bill modifies the procedures for creating or eliminating new positions in Hillsborough county government.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough~~].

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Twelve

AN ACT relative to the creation or elimination of employment positions in Hillsborough county government.

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

1 1 County Employment; Hillsborough County. Amend RSA 28:10 to read as follows:

2 28:10 Employees, Counties.

3 I. The commissioners of each county shall employ such number of clerks and agents as said
4 commissioners deem necessary.

5 II. In Hillsborough county the county [~~commissioner~~] **commissioners**, or any elected or
6 appointed official, prior to establishing any new position **or eliminating any current position**
7 within said county, shall obtain written approval from the Hillsborough county executive committee
8 [~~for such new position~~]. **In addition, the Hillsborough county executive committee may by**
9 **majority vote of the executive committee establish a new position or eliminate a current**
10 **position within the county.**

11 2 Effective Date. This act shall take effect 60 days after its passage.

Amendments



Rep. Burt, Hills. 7
Rep. Belanger, Hills. 5
January 27, 2012
2012-0423h
10/01

Amendment to HB 1425

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

2

3 AN ACT *Very Detailed* relative to the procedure for the elimination of employment positions in
4 Hillsborough county government.

5

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

7

8 1 County Employment; Hillsborough County. Amend RSA 28:10 to read as follows:

9 28:10 Employees, Counties.

10 *I.* The commissioners of each county shall employ such number of clerks and agents as said
11 commissioners deem necessary.

12 *II.* In Hillsborough county the county [~~commissioner~~] *commissioners*, or any elected or
13 appointed official, prior to establishing any new position *or eliminating any current position*
14 within said county, shall obtain written approval from the Hillsborough county executive committee
15 [~~for such new position~~].



Amendment to HB 1425
- Page 2 -

2012-0423h

AMENDED ANALYSIS

The bill requires the written approval of the executive committee before eliminating positions in Hillsborough county government.



Amendment to HB 1425

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2

3 AN ACT ~~relative to the procedure for the elimination of employment positions in~~
4 Hillsborough county government.

5

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

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8 1 County Employment; Hillsborough County. Amend RSA 28:10 to read as follows:

9 28:10 Employees, Counties.

10 I. The commissioners of each county shall employ such number of clerks and agents as said
11 commissioners deem necessary.

12 II. In Hillsborough county the county [~~commissioner~~] **commissioners**, or any elected or
13 appointed official, prior to establishing any new position **or eliminating any current position**
14 within said county, shall obtain written approval from the Hillsborough county executive committee
15 [~~for such new position~~].



2012-0737h

AMENDED ANALYSIS

The bill requires the written approval of the executive committee before eliminating positions in Hillsborough county government.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON HB 1425

BILL TITLE: relative to the creation or elimination of employment positions in Hillsborough county government.

DATE: January 26, 2012

LOB ROOM: 301 **Time Public Hearing Called to Order:** 2:15 pm

Time Adjourned: 2:29 pm

(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. Kirk, Hills 7

TESTIMONY

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

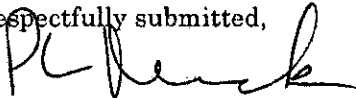
Rep. Betsy Patten of Moultonborough. Introduces the bill for Rep. Kurk.

Rep. Shawn Jasper of Hudson. Opposes the bill. Speaking for myself. This bill allows the executive committee can add or eliminate positions at any time during the year. Positions should only add or remove positions at the request of the commissioners during the budget cycle.

Rep. Neil Kurk. Sponsor. The purpose of the bill was to make clear the process of adding or eliminating positions. It was intended to be a technical correction to the existing statute. The executive committee is not a management group and does not hire and fire. Would agree to eliminate the last sentence.

County Commissioner Toni Pappas of Hillsborough. Opposes the bill. Would agree with the bill with the last sentence eliminated.

Respectfully submitted,



Rep. Philip Munck
Clerk

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON HB 1425

BILL TITLE: relative to the creation or elimination of employment positions in Hillsborough county government.

DATE: 1/28/12

LOB ROOM: 301 **Time Public Hearing Called to Order:** 2:15

Time Adjourned: 2:29

(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. Kirk, Hills 7

TESTIMONY

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

HB 1425

Rep. Betsy Patten of Moultonborough. Introduces the bill for Rep. Kurk.

Rep. Shawn Jasper of Hudson. Opposes the bill. Speaking for myself. This bill allows the executive committee can add or eliminate positions at any time during the year. Positions should only add or remove positions at the request of the commissioners during the budget cycle.

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County Commissioner Toni Pappas of Hillsborough. Opposes the bill. Would agree with the bill with the last sentence eliminated.

Testimony

Opposition to HB 1425, January 26, 2012

Good afternoon Madame Chairman. My name is Toni Pappas, Manchester. I am a Hillsborough County Commissioner and former NH State Legislator.

Today, I speak in opposition to HB 1425 because I believe this bill flies in the face of the checks and balances that are required to protect the smooth operation of County Government. As you know, among their many duties, County Commissioners and other elected officials are responsible for the establishment or elimination of County positions. Because they work closely with Department heads, Commissioners have a sense of what positions are needed to provide vital services to the County taxpayer.

In Hillsborough County new positions already require written approval by the Executive Committee. To give the Hillsborough County Executive Committee further power to create and eliminate positions would make it impossible for Commissioners to oversee the operation of Hillsborough County in an efficient manner.

Please consider that this bill will create a situation where the continued employment of every County employee is subject to the whim of a group of individuals from whom they do not take direction and to whom they do not report. Employees will have no idea of under what standards their work will be judged. In other words, they are being asked to serve two masters. This will have a chilling effect on County business and will make it impossible to retain and recruit good employees. No business, whether a government or a private industry, can operate successfully under such circumstances.

I believe branches of government are created to safeguard a balance of power. This bill has the potential to circumvent this balance so astutely designed into the framework of County government in NH. Political power should never be concentrated in the hands of one individual or group. Giving the Executive Committee a power normally executed by elected County officials is out of line and presents a danger to a system of County government that has worked well for many years.

I have to ask if this bill is intended to eliminate County government. I ask that you declare HB 1425 inexpedient to legislate. Thank you for your consideration.

Toni Pappas

Voting Sheets

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 1425

BILL TITLE: relative to the creation or elimination of employment positions in Hillsborough county government.

DATE: February 13, 2012

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. Belanger

Seconded by Rep. Coffey

Vote: 14-0 (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

(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

HB
EXECUTIVE SESSION on 1425

BILL TITLE: relative to the creation or elimination of employment positions in Hillsborough county government.

DATE: 2/13/12

LOB ROOM: 301

Amendments:

Sponsor: Rep.	OLS Document #:
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Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Belanger

Seconded by Rep. Coffey

Vote: 14-0 (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

(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 1425 Title: _____

PH Date: ____/____/____

Exec Session Date: ____/____/____

Motion: ITL

Amendment #: 2/13/12

MEMBER	YEAS	NAYS
Ferrante, Beverly A, Chairman	✓	
Sterling, Franklin W, V Chairman	✓	
Patten, Betsey L	Abs	
Lockwood, Priscilla P	✓	
Accornero, Harry	✓	
Belanger, James P	✓	
Burt, John A	✓	
Coffey, James E	✓	
Copeland, Timothy D	✓	
Moore, Robert W	✓	
Munck, Philip L, Clerk	✓	
Shackett, Jeffrey S <u>Cammerford, T.</u>	✓	
Stroud, Kathleen M	✓	
DeStefano, Stephen T	✓	
Roberts, Kris E	Abs	
Hooper, Dorothea D	Abs	
Tatro, Bruce L	✓	
TOTAL VOTE:	14	0

Committee Report

CONSENT CALENDAR

February 15, 2012

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on MUNICIPAL AND COUNTY
GOVERNMENT to which was referred HB1425,

AN ACT relative to the creation or elimination of
employment positions in Hillsborough county
government. Having considered the same, report the
same with the following Resolution: **RESOLVED**, That it
is **INEXPEDIENT TO LEGISLATE**.

Rep. James P Belanger

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	MUNICIPAL AND COUNTY GOVERNMENT
Bill Number:	HB1425
Title:	relative to the creation or elimination of employment positions in Hillsborough county government.
Date:	February 15, 2012
Consent Calendar:	YES
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill attempts to modify the procedures for creating or eliminating new positions in the Hillsborough County Government. County Commissioners are responsible for creating a new position with the approval of the Executive Committee and they are equally responsible for eliminating positions when the workload or budget demands it. This bill would remove that authority to reduce positions from the Commissioners and require Executive Committee approval. This would upset the balance of power and place it at the top of the chain with the end result being that employees could no longer have confidence in their direct supervisors, the Commissioners, to retain their jobs. The Chain of Command should be observed in the workplace in assigning work and also in the creation or elimination of positions. Amendments were offered to correct deficiencies in this bill but did not achieve results acceptable to the committee that resulted in a unanimous bi-partisan vote to ITL this bill.

Vote 14-0.

Rep. James P Belanger
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

MUNICIPAL AND COUNTY GOVERNMENT

HB1425, relative to the creation or elimination of employment positions in Hillsborough county government. **INEXPEDIENT TO LEGISLATE.**

Rep. James P Belanger for MUNICIPAL AND COUNTY GOVERNMENT. This bill attempts to modify the procedures for creating or eliminating new positions in the Hillsborough County Government. County Commissioners are responsible for creating a new position with the approval of the Executive Committee and they are equally responsible for eliminating positions when the workload or budget demands it. This bill would remove that authority to reduce positions from the Commissioners and require Executive Committee approval. This would upset the balance of power and place it at the top of the chain with the end result being that employees could no longer have confidence in their direct supervisors, the Commissioners, to retain their jobs. The Chain of Command should be observed in the workplace in assigning work and also in the creation or elimination of positions. Amendments were offered to correct deficiencies in this bill but did not achieve results acceptable to the committee that resulted in a unanimous bi-partisan vote to ITL this bill. **Vote 14-0.**

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

COMMITTEE: M & G

BILL NUMBER: HB 1425

TITLE: employment positions in Hillsborough county government

DATE: 2/13/12 CONSENT CALENDAR: YES NO

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

Amendment No. _____

STATEMENT OF INTENT:

See attached

BAF

COMMITTEE VOTE: 14-0

RESPECTFULLY SUBMITTED,

Rep. Ann Belanger
For the Committee

<ul style="list-style-type: none"> • Copy to Committee Bill File • Use Another Report for Minority Report

HB1425 Blurb

This bill attempts to modify the procedures for creating or eliminating new positions in the Hillsborough County Government. County Commissioners are responsible for creating a new position with the approval of the Executive Committee and they are equally responsible for eliminating positions when the workload or budget demands it. This bill would remove that authority to reduce positions from the Commissioners and require Executive Committee approval. This would upset the balance of power and place it at the top of the chain with the end result being that employees could no longer have confidence in their direct supervisors, the Commissioners, to retain their jobs. The Chain of Command should be observed in the workplace in assigning work and also in the creation or elimination of positions. Amendments were offered to correct deficiencies in this bill but did not achieve results acceptable to the committee that resulted in a unanimous bi-partisan vote to ITL this bill.