

# Committee Report

**CONSENT CALENDAR**

**May 15, 2019**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Public Works and Highways to which  
was referred SB 211,**

**AN ACT (New Title) relative to reporting requirements  
for state agencies owning real property. Having  
considered the same, report the same with the  
recommendation that the bill OUGHT TO PASS.**

**Rep. Michael Edgar**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	Public Works and Highways
Bill Number:	SB 211
Title:	(New Title) relative to reporting requirements for state agencies owning real property.
Date:	May 15, 2019
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS

### STATEMENT OF INTENT

The bill was written to ensure that the state has an accurate list of all property which it owns. Each state agency shall create a report identifying all real property owned by that agency. For each building or parcel of land leased to a third party by the agency, the report shall include the lease terms. Each agency shall file the report with the Department of Administrative Services' commissioner. Then the commissioner shall compile the reports from each agency, and file a consolidated set of such reports with the governor and five specifically-listed legislators. Finally, the commissioner shall develop a standard format for agencies to use in submitting their reports.

Vote 15-0.

Rep. Michael Edgar  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

### Public Works and Highways

**SB 211, (New Title)** relative to reporting requirements for state agencies owning real property. **OUGHT TO PASS.**

Rep. Michael Edgar for Public Works and Highways. The bill was written to ensure that the state has an accurate list of all property which it owns. Each state agency shall create a report identifying all real property owned by that agency. For each building or parcel of land leased to a third party by the agency, the report shall include the lease terms. Each agency shall file the report with the Department of Administrative Services' commissioner. Then the commissioner shall compile the reports from each agency, and file a consolidated set of such reports with the governor and five specifically-listed legislators. Finally, the commissioner shall develop a standard format for agencies to use in submitting their reports. **Vote 15-0.**

Original: House Clerk  
Cc: Committee Bill File

Edgar

# COMMITTEE REPORT

COMMITTEE:

Public Works + Highways

BILL NUMBER:

SB 211

TITLE:

relative to reporting requirements for state agencies owning real property.

DATE:

05/15/2019

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.

N/A

## STATEMENT OF INTENT:

The bill was written to ensure that the state has an accurate list of all property which it owns. Each state agency shall create a report identifying all real property owned by that agency. For each building or parcel of land leased to a third party by the agency, the report shall include the lease terms. Each agency shall file the report with the department of administrative services' commissioner. Then the commissioner shall ~~compile~~ <sup>shall</sup> compile the reports from each agency, and file a consolidated set of such reports with the governor and five specifically-listed legislators. Finally, the commissioner shall develop a standard format for agencies to use in submitting their reports.

COMMITTEE VOTE:

15 - 0

RESPECTFULLY SUBMITTED,

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

Rep.

Michael Edgar

For the Committee

## SB 211

This bill was written to ensure the state has an accurate list of all property owned by the state.

Each state agency shall make a report identifying all real property owned by the agency. For each building or parcel of land leased to a third party by the agency, the report shall include the lease ~~term~~ term.

Each state agency shall file the report with the commissioner of the department of administrative services.

The commissioner of the department of administrative services shall develop a standard format for agencies to use in submitting the report.

Mike Edgar

\* The commissioner of the department of administrative services shall compile the reports from each agency and file a consolidated set of agency reports with the governor and five specially-listed legislators.

1 (e) Two family members of persons lost to substance use disorder, appointed by the  
2 governor.

3 (f) The chairperson of the recovery task force of the governor's commission on alcohol  
4 and drug abuse, prevention, treatment, and recovery, or designee.

5 (g) The president of New Futures, or designee.

6 (h) The director of National Alliance for Mental Illness, New Hampshire (NAMI-NH), or  
7 designee.

8 (i) The commissioner of the department of health and human services, or designee.

9 II. Legislative members of the commission shall receive mileage at the legislative rate while  
10 attending to the duties of the commission. The members of the commission shall elect a chairperson  
11 from among the members. The first named house member shall call the first meeting of the  
12 commission. Seven members of the commission shall constitute a quorum.

13 III. The commission shall select the location and design for the New Hampshire recovery  
14 memorial and oversee the construction and maintenance of the memorial.

15 IV. The commission shall privately raise all the money necessary for the planning, design,  
16 construction, and maintenance of the New Hampshire recovery memorial.

17 2 New Subparagraph; New Hampshire Recovery Memorial Fund. Amend RSA 6:12, I(b) by  
18 inserting after subparagraph 343 the following new subparagraph:

19 (344) Moneys deposited into the New Hampshire recovery memorial special account  
20 established in RSA 4:9-p.

21 3 Effective Date. This act shall take effect 60 days after its passage.

# Voting Sheets



HOUSE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

EXECUTIVE SESSION on SB 211

**BILL TITLE:** (New Title) relative to reporting requirements for state agencies owning real property.

**DATE:** May 15, 2019

**LOB ROOM:** 201

**MOTIONS:** OUGHT TO PASS

Moved by Rep. Edgar

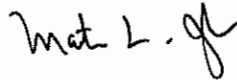
Seconded by Rep. Graham

Vote: 15-0

**CONSENT CALENDAR: YES**

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

Respectfully submitted,



Rep Martin Jack, Clerk

HOUSE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

EXECUTIVE SESSION on SB 211

BILL TITLE: (New Title) relative to reporting requirements for state agencies owning real property.

DATE: 05/15/2019

LOB ROOM: 201

MOTION: (Please check one box)

[X] OTP [ ] ITL [ ] Retain (1st year) [ ] Adoption of Amendment # [ ] Interim Study (2nd year) (if offered)

Moved by Rep. Edgar Seconded by Rep. Graham Vote: 15-0

MOTION: (Please check one box)

[ ] OTP [ ] OTP/A [ ] ITL [ ] Retain (1st year) [ ] Adoption of Amendment # [ ] Interim Study (2nd year) (if offered)

Moved by Rep. Seconded by Rep. Vote:

MOTION: (Please check one box)

[ ] OTP [ ] OTP/A [ ] ITL [ ] Retain (1st year) [ ] Adoption of Amendment # [ ] Interim Study (2nd year) (if offered)

Moved by Rep. Seconded by Rep. Vote:

MOTION: (Please check one box)

[ ] OTP [ ] OTP/A [ ] ITL [ ] Retain (1st year) [ ] Adoption of Amendment # [ ] Interim Study (2nd year) (if offered)

Moved by Rep. Seconded by Rep. Vote:

CONSENT CALENDAR: [X] YES [ ] NO

Minority Report? [ ] Yes [X] No If yes, author, Rep: Motion

Respectfully submitted: Mark L. Jack Rep Martin Jack, Clerk

## 2019 SESSION

## Public Works and Highways

Bill #: SB 211 Motion: OTR AM #: \_\_\_\_\_ Exec Session Date: 05/15/2019

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Cloutier, John R. Chairman	15		
Edgar, Michael A. Vice Chairman	1		
Ebel, Karen E.	2		
Jack, Martin L. Clerk	3		
Abbott, Michael D.	4		
Faulkner, Barry <i>Ray Newman</i>	5		
Newman, Sue A.	6		
Eaton, Daniel A.	7		
Pedersen, Michael P.			
Query, Joshua F.	8		
Towne, Matthew D.			
Vann, Ivy C.	9		
Graham, John A.	10		
Colodziej, Walter			
Tilton, Franklin T.	11		
Hilz, David E.			
Manigian, John C.	12		
McConnor, John T. <i>Klose</i>	13		
Tomero, Paul J.			
Wedolf, Jim L.	14		
Waudoin, Richard B.			
<b>TOTAL VOTE:</b>	15	0	

# Hearing Minutes

HOUSE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

PUBLIC HEARING ON SB 211

**BILL TITLE:** (New Title) relative to reporting requirements for state agencies owning real property.

**DATE:** May 1, 2019

**LOB ROOM:** 201                      **Time Public Hearing Called to Order:** 11:00 a.m.  
**Time Adjourned:** 11:15 a.m.

**Committee Members:** Reps. Cloutier, Jack, Ebel, Abbott, Faulkner, S. Newman, Eaton, Pedersen, Towne, Graham, Kolodziej, Tilton, Janigian, Somero and Fedolfi, Klose

**Bill Sponsors:**

Sen. Watters

Rep. Towne

TESTIMONY

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

(1) **Sen. David Watters**, prime sponsor

The DOT is doing their own reporting, so the existing requirements are burdensome and duplicative.

Q (Rep. Klose): Didn't we have this bill last session?

A: Yes. This version deals better with the problems identified then.

Q (Rep. Janigian): Should the date in line 4 be updated?

A: This retains the original bill language.

Q (Rep. Abbott): Is there a fiscal impact?

A: No, the reporting process already exists.

(2) **Marie Mullen**, Department of Transportation, Director of Finance

The DOT supports the bill.

We redrafted it based on last session's feedback.

DOT owns lots of property.

Much of it cannot be sold because it is used for highways.

The purpose of the bill was to ensure that parcels and encumbrances are on record before the parcel goes to Long Range to be sold.

The bill exempts certain properties.

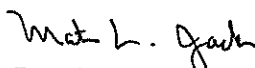
Q (Rep. Graham): Can you clarify the effect of line 11 and 12?

A: Yes. Section 2 reflects current practice.

Q (Rep. Faulkner): What about other changes?

A: The bill is refining requirements. They have expertise in DOT Right of Way that not all departments have. There is no fiscal impact to DOT if the bill passes. The extra title data is not required by Administrative Services.

Respectfully submitted,

  
Rep. Martin L. Jack,  
Clerk

HOUSE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

PUBLIC HEARING ON SB 211

BILL TITLE: (New Title) relative to reporting requirements for state agencies owning real property.

DATE: 05/01/2019

ROOM: 201

Time Public Hearing Called to Order: 1100

Time Adjourned: 1115

(please circle if present)

Committee Members: Reps. Cloutier, Edgar, Jack, Ebel, Abbott, Faulkner, S. Newman, Eaton, Pedersen, Query, Towne, Vann, Graham, Kolodziej, Tilton, Milz, Janigian, O'Connor, Somero, Fedolf and R. Beaudoin

Klor

Bill Sponsors:

Sen. Watters

Rep. Towne

TESTIMONY

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

Multiple horizontal lines for writing testimony.

**Bill as  
Introduced**

SB 211 - AS AMENDED BY THE SENATE

03/27/2019 1192s

2019 SESSION

19-0999  
06/10

SENATE BILL **211**

AN ACT relative to reporting requirements for state agencies owning real property.

SPONSORS: Sen. Watters, Dist 4; Rep. Towne, Straf. 4

COMMITTEE: Executive Departments and Administration

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AMENDED ANALYSIS

This bill requires state agencies that own real property to include certain encumbrances in their biennial report to the commissioner of the department of administrative services.

The bill also requires the commissioner of the department of administrative services to compile and file a consolidated set of agency reports.

.....

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 Nineteen*

AN ACT relative to reporting requirements for state agencies owning real property.

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

1       1 Disposition of Property; Real Property Owned by State Agencies; Reporting Requirement.

2       RSA 4:39-e is repealed and reenacted to read as follows:

3       4:39-e Real Property Owned by State Agencies; Reporting Requirement.

4           I. On or before July 1, 2013, and biennially thereafter, each state agency, as defined in RSA  
5       21-G:5, III, shall make a report identifying all real property owned by the agency. For each parcel  
6       of land owned by the agency, the report shall include any reversionary provisions or other deed  
7       restrictions, conservation or other easements, lease arrangements with third-party tenants, and any  
8       other agreement or encumbrance that may affect the future sale of the property, but only to the  
9       extent known by the agency or as may be determined through reasonable efforts. For each building  
10      or parcel of land leased to a third party by the agency, the report shall include the lease term. This  
11      section shall not apply to infrastructure properties used as the public rights of way for roads,  
12      highways, bridges, railroads, rail trails, rest areas, park and rides, or turnpike toll operations.

13          II. Each state agency shall file the report with the commissioner of the department of  
14      administrative services. The commissioner of the department of administrative services shall  
15      compile the reports from each agency and file a consolidated set of agency reports with the  
16      governor, the senate president, the speaker of the house of representatives, the chairperson of the  
17      senate capital budget committee, the chairperson of the house public works and highways  
18      committee, and the chairperson of the long range capital planning and utilization committee  
19      established in RSA 17-M:1.

20          III. The commissioner of the department of administrative services shall develop a standard  
21      format for agencies to use in submitting the report required under this section. The form of the  
22      report shall not be considered a rule subject to the provisions of RSA 541-A.

23      2 Effective Date. This act shall take effect 60 days after its passage.