

Committee Report

CONSENT CALENDAR

April 24, 2019

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Public Works and Highways to which
was referred SB 219,**

**AN ACT relative to the disposal of highway or turnpike
funded real estate. Having considered the same, report
the same with the recommendation that the bill OUGHT
TO PASS.**

Rep. Barry Faulkner

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Public Works and Highways
Bill Number:	SB 219
Title:	relative to the disposal of highway or turnpike funded real estate.
Date:	April 24, 2019
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

This bill permits the Department of Transportation to exchange existing real estate for other property of equal or greater value without having to go through the state procedures for disposal of excess property and purchase of new property. Such exchanges would be subject to approval by the Governor and Council.

Vote 19-0.

Rep. Barry Faulkner
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Public Works and Highways

SB 219, relative to the disposal of highway or turnpike funded real estate. **OUGHT TO PASS.**

Rep. Barry Faulkner for Public Works and Highways. This bill permits the Department of Transportation to exchange existing real estate for other property of equal or greater value without having to go through the state procedures for disposal of excess property and purchase of new property. Such exchanges would be subject to approval by the Governor and Council. **Vote 19-0.**

Original: House Clerk

Cc: Committee Bill File

Faulkner

COMMITTEE REPORT

COMMITTEE: Public Works & Highways

BILL NUMBER: SB 219

TITLE: relative to disposal of highway or turnpike funded real estates.

DATE: _____ 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:

This bill permits the Department of Transportation to exchange existing ^{real estate} ~~property~~ for other property of equal or greater value, without having to go through the state procedures for disposal of excess property and acquisition purchase of new property. Such exchanges would be subject to approval by the Governor and Council.

(JRC)

COMMITTEE VOTE: 19 - 0

RESPECTFULLY SUBMITTED,

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

Rep. Barry Faulkner
For the Committee

Voting Sheets

HOUSE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

EXECUTIVE SESSION on SB 219

BILL TITLE: relative to the disposal of highway or turnpike funded real estate.

DATE: April 24, 2019

LOB ROOM: 201

MOTIONS: OUGHT TO PASS

Moved by Rep. Faulkner

Seconded by Rep. Ebel

Vote: 19-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Mart L. Jack

Rep Martin Jack, Clerk

HOUSE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

EXECUTIVE SESSION on SB 219

BILL TITLE: relative to the disposal of highway or turnpike funded real estate.

DATE: 04/24/2019

LOB ROOM: 201

MOTION: (Please check one box)

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

Moved by Rep. Familton Seconded by Rep. Ebel Vote: 19-0

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: _____

Mart H. Jack
Rep Martin Jack, Clerk



2019 SESSION

Public Works and Highways

Bill #: SB 219 Motion: OTR AM #: _____ Exec Session Date: 04/24/2019

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Cloutier, John R. Chairman	19		
Edgar, Michael A. Vice Chairman	1		
Ebel, Karen E.	2		
Jack, Martin L. Clerk	3		
Abbott, Michael D.	4		
Faulkner, Barry	5		
Newman, Sue A.	6		
Eaton, Daniel A.	7		
Pedersen, Michael P.	8		
Query, Joshua F.	9		
Gowne, Matthew D.	10		
Ann, Ivy C.	11		
Graham, John A.	12		
Kolodziej, Walter	13		
Tilton, Franklin T.			
Milz, David E.	14		
Manigian, John C.	15		
McConnor, John T. <i>Hoelzel</i>	16		
Tomero, Paul J.	17		
Medolfe, Jim L.	18		
Leaudoin, Richard B.			
OTAL VOTE:	19	0	

HOUSE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

PUBLIC HEARING ON SB 219

BILL TITLE: relative to the disposal of highway or turnpike funded real estate.

DATE: April 17, 2019

LOB ROOM: 201 **Time Public Hearing Called to Order:** 2:00 p.m.

Time Adjourned: 2:10 p.m.

Committee Members: Reps. Cloutier, Edgar, Jack, Ebel, Abbott, Faulkner, S. Newman, Pedersen, Query, Graham, Kolodziej, Tilton, Milz, Janigian and Somero

Bill Sponsors:
Sen. Watters

TESTIMONY

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

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

The bill is a request of DOT.

This provides clarifying language.

Q (Rep. Abbott): Is there some particular situation that sparked the bill?

A: Defer to DOT.

(2) **Steve Labonte**, Department of Transportation, Bureau of Right-of-Way

This bill codifies existing practice that is outside the way the statute is currently drafted.

A recent example is at Exit 4A in Derry.

Long Range takes a long lead time, up to 18 months.

Q (Rep. Janigian): Are the appraisers state employees?

A: We use both state employees and outside appraisers on contract.

Q (Rep. Janigian): What is the appeal process?

A: The landowner can get their own appraisal. Then to the Board of Tax and Land Appeals, and after that to Superior Court.

Q (Rep. Graham): Who approves the land swap?

A: Governor and Council.

Respectfully submitted,



Rep. Martin L. Jack,
Clerk

SB 219 - AS INTRODUCED

2019 SESSION

19-1002

06/01

SENATE BILL **219**

AN ACT relative to the disposal of highway or turnpike funded real estate.

SPONSORS: Sen. Watters, Dist 4

COMMITTEE: Transportation

ANALYSIS

This bill clarifies that the department of transportation is authorized to exchange property with owners as part of right-of-way negotiations and that such exchanges are exempt from the process for disposal of highway or turnpike funded real estate.

This bill is a request of the department of transportation.

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 the disposal of highway or turnpike funded real estate.

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

1 1 Disposal of Highway or Turnpike Funded Real Estate. Amend RSA 4:39-c, IV to
2 read as follows:

3 IV. This section shall not apply to the exchange of state-owned lands, *which are under*
4 *the jurisdiction of the department of transportation*, for other lands of equal or greater value,
5 ~~[which are under the jurisdiction of the department of transportation and used by the department]~~
6 during right-of-way negotiations, or to the sale of buildings that need to be moved to clear such
7 rights-of-way for public projects found necessary under other state laws.

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