

Committee Report

CONSENT CALENDAR

March 8, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Municipal and County Government
to which was referred HB 101,**

**AN ACT relative to the close of a county's books of
records. Having considered the same, report the same
with the following amendment, and the
recommendation that the bill OUGHT TO PASS WITH
AMENDMENT.**

Rep. John MacDonald

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Municipal and County Government
Bill Number:	HB 101
Title:	relative to the close of a county's books of records.
Date:	March 8, 2021
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2021-0164h

STATEMENT OF INTENT

In 2019, the General Court updated the statute about county audits by requiring audits to be completed within 120 days of the close of books. However, some counties discovered they could delay the audit indefinitely by simply not closing the books. This bill closes that loophole. As amended, counties must close their books within 45 days of the close of the fiscal year, but may be granted an extension for cause by the commissioner of the Department of Revenue Administration.

Vote 19-0.

Rep. John MacDonald
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Municipal and County Government

HB 101, relative to the close of a county's books of records. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John MacDonald for Municipal and County Government. In 2019, the General Court updated the statute about county audits by requiring audits to be completed within 120 days of the close of books. However, some counties discovered they could delay the audit indefinitely by simply not closing the books. This bill closes that loophole. As amended, counties must close their books within 45 days of the close of the fiscal year, but may be granted an extension for cause by the commissioner of the Department of Revenue Administration. **Vote 19-0.**

Original: House Clerk
Cc: Committee Bill File

Rep. J. MacDonald, Carr. 6
January 28, 2021
2021-0164h
10/08

Amendment to HB 101

1 Amend RSA 28:3-a, I as inserted by section 1 of the bill by replacing it with the following:

2

3 *I. Counties shall close their books on or before 45 days following the end of the*
4 *county fiscal year unless the county has been granted an extension by the commissioner of*
5 *the department of revenue administration. The commissioner may grant one or more 45-*
6 *day extensions for cause, and shall notify the chairperson of the county convention of each*
7 *extension and the reasons it was granted.*

Amendment to HB 101
- Page 2 -

2021-0164h

AMENDED ANALYSIS

This bill requires counties to close their books 45 days following the end of the fiscal year unless granted an extension by the commissioner of revenue administration.

Voting Sheets

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 101

BILL TITLE: relative to the close of a county's books of records.

DATE: February 8, 2021

LOB ROOM: Hybrid

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. J. MacDonald Seconded by Rep. Melvin AM Vote: 19-0

Amendment # 2021-0164h

Moved by Rep. Piemonte Seconded by Rep. Melvin Vote: 19-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep John MacDonald, Clerk



2021 SESSION

Municipal and County Government

Bill #: HB101 Motion: Adoption of Amendment 2021-0164H AM #: _____ Exec Session Date: 2/8/21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Piemonte, Tony Vice Chairman	1		
Porter, Marjorie A.	2		
Klee, Patricia S.	3		
Tripp, Richard P.	4		
Guthrie, Joseph A.	5		
Lascelles, Richard W.	6		
McBride, Everett P.	7		
Melvin, Charles R.	8		
Ayer, Paul F.	9		
Pauer, Diane	10		
Gallager, Eric B.	11		
Treleaven, Susan GS	12		
Gilman, Julie D.	13		
Maggiore, Jim V.	14		
Stavis, Laurel	15		
Mangipudi, Latha D.	16		
Vann, Ivy C.	17		
MacDonald, John T. Clerk	18		
Dolan, Tom Chairman	19		
TOTAL VOTE:	19	0	



2021 SESSION

Municipal and County Government

Bill #: HB101 Motion: OTPA AM #: 2021-01644 Exec Session Date: 2/8/21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Piemonte, Tony Vice Chairman	1		
Porter, Marjorie A.	2		
Klee, Patricia S.	3		
Tripp, Richard P.	4		
Guthrie, Joseph A.	5		
Lascelles, Richard W.	6		
McBride, Everett P.	7		
Melvin, Charles R.	8		
Ayer, Paul F.	9		
Pauer, Diane	10		
Gallager, Eric B.	11		
Treleaven, Susan GS	12		
Gilman, Julie D.	13		
Maggiore, Jim V.	14		
Stavis, Laurel	15		
Mangipudi, Latha D.	16		
Vann, Ivy C.	17		
MacDonald, John T. Clerk	18		
Dolan, Tom Chairman	19		
TOTAL VOTE:	19	0	

Rep. J. MacDonald, Carr. 6
January 28, 2021
2021-0164h
10/08

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5 ***the department of revenue administration. The commissioner may grant one or more 45-***
6 ***day extensions for cause, and shall notify the chairperson of the county convention of each***
7 ***extension and the reasons it was granted.***

Amendment to HB 101
- Page 2 -

2021-0164h

AMENDED ANALYSIS

This bill requires counties to close their books 45 days following the end of the fiscal year unless granted an extension by the commissioner of revenue administration.

Public Hearing

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON HB 101

BILL TITLE: relative to the close of a county's books of records.

DATE: February 1, 2021

LOB ROOM: Hybrid **Time Public Hearing Called to Order:** 10:55 a.m.

Time Adjourned: 11:00 a.m.

Committee Members: Reps. Dolan, Piemonte, J. MacDonald, Tripp, Guthrie, Lascelles, McBride, Melvin, Ayer, Pauer, Porter, Treleaven, Gilman, Maggiore, Stavis, Mangipudi, Vann, Klee and Gallagher

Bill Sponsors:

Rep. J. MacDonald
Rep. Nelson

Rep. Marsh
Rep. Avellani

Rep. Crawford
Rep. Deshaies

TESTIMONY

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

***Rep. MacDonald** - Presents bill to committee. Testimony presented/email to committee.

Rep. Porter: Question on amendment will receive copies? ANS: Yes.

Respectfully submitted,

Rep. John MacDonald
Clerk

House Remote Testify

Municipal and County Government Committee Testify List for Bill HB101 on 2021-02-01

Support: 6 Oppose: 1 Neutral: 0 Total to Testify: 1

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
MacDonald, Representative John	johnmacdonald@leg.state.nh	An Elected Official	Myself	Support	Yes (0m)	No	1/27/2021 10:54 PM
Ploszaj, Tom	tom.ploszaj@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/31/2021 8:35 PM
Rathbun, Eric	ericrathbun@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2021 10:26 PM
Klebe, Carrie	carrie.klebe@cooscountynh.us	A Member of the Public	Myself	Oppose	No	No	2/1/2021 7:44 AM
Marsh, William	wmarshmd@gmail.com	An Elected Official	Myself	Support	No	No	1/21/2021 8:28 AM
smith, jonathan	jhsmithnh5@gmail.com	An Elected Official	Myself	Support	No	No	1/25/2021 7:43 AM
Deshaies, Brodie	brodiefornh@gmail.com	An Elected Official	Carroll 6, Wolfeboro	Support	No	No	1/26/2021 3:54 PM

Testimony

Archived: Friday, February 5, 2021 12:01:22 PM

From: [Kate Horgan](#)

Sent: Friday, February 5, 2021 11:24:51 AM

To: ~House Municipal and County Govt

Subject: HB 101

Importance: Normal

Attachments:

2.5.21 NHAC Letter HB 101 .pdf ;

Chairman Dolan and members of the Municipal & County Government Committee,

Attached please find a letter from the NH Association of Counties opposing HB 101 and outlining the challenges that it would present to all NH counties. Please let me know if you have any questions. Thank you.

-Kate Horgan

Kathryn Horgan
The Dupont Group
29 School St. | Ste. 200 | Concord, NH 03301
603-228-3322 x111
khorgan@dupontgroup.com



signature_147
5371248

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Testimony of Representative John T. MacDonald
Municipal and County Government
February 1, 2021

Good Morning Mr. Chairman and members of the Municipal and County Government Committee. It is an honor and pleasure to appear before you today. My name is Representative John T. MacDonald, I am from Carroll District 6, which consists of the community of Wolfeboro.

I am here to introduce to the Committee House Bill 101 with an amendment which addresses the issue of the closing of county books

This Bill comes at the request of some of my fellow colleagues on the Carroll County Delegation.

This Bill clearly identifies a period of time (45 days following the end of the fiscal year) that each county has to close their books for the fiscal year. In the event the county has not, they may request an extension from the Commissioner of the Department of Revenue.

28:3-a County Audits. – In the event that an audit is required or requested by resolution by either the board of commissioners or the county convention, the commissioners, with the approval of the executive committee of the county convention, shall engage the services of a certified public accountant qualified in municipal and county finances for the purpose of conducting an audit of the county books of records. The performance and scope of the audit shall be in accordance with generally-accepted auditing standards. The audit shall include an examination for conformance with state and federal laws and regulations relating to county finances, including rules adopted by the commissioner of revenue administration pursuant to RSA 541-A, and shall also include an examination of any subject of county finances that may be requested either by the commissioners, by the county convention, or by the treasurer. The audit shall be completed within 120 days following the close of the books of the county fiscal year. The commissioners shall cause the report of the auditor, together with the customary management representation letter and management responses, to be published with or supplementary to the annual reports of the county officers, with a copy forwarded to the department of revenue administration. Upon completion of a county audit under this section, the county convention shall review the audit, management representation letter, and management responses for compliance with the criteria described in this section and may suggest alternative or additional measures for use in subsequent audits.

Source. 1991, 194:3, eff. July 27, 1991. 2017, 97:1, eff. Aug. 7, 2017. 2019, 191:1, eff. Sept. 8, 2019.

Thank you for your consideration of this Bill.

Archived: Monday, April 19, 2021 10:14:04 AM
From: [Karel A. Crawford](#)
Sent: Tuesday, February 2, 2021 11:02:26 AM
To: ~House Municipal and County Govt
Subject: Support HB-101
Importance: Normal

Honorable Members of Municipal and County Government:

I would respectfully ask you to please support and pass HB-101 when it comes time to vote at your executive session.

I am in my 5th term as a representative in Carroll County, no one knows more than I that this bill is needed for our county.

To be perfectly honest, I wish we had this bill approved 8 years ago. Year after year we have fallen behind in getting our books closed, our audits (when we have had one) are always late due to the books not being closed on time, this has been extremely frustration and frankly embarrassing to face the public. I know that this bill is not the only answer to the problem in the county, but with passage it will put the county one step further to having to close their books on time.

Please OTP HB-101.

Respectfully,
Rep. Karel Crawford
Carroll 4

Bill as
Introduced

HB 101 - AS INTRODUCED

2021 SESSION

21-0101

10/08

HOUSE BILL **101**

AN ACT relative to the close of a county's books of records.

SPONSORS: Rep. J. MacDonald, Carr. 6; Rep. Marsh, Carr. 8; Rep. Crawford, Carr. 4; Rep. Nelson, Carr. 5; Rep. Avellani, Carr. 5; Rep. Deshaies, Carr. 6

COMMITTEE: Municipal and County Government

ANALYSIS

This bill requires counties to close their books 30 days following the end of the fiscal year unless granted an extension by the commissioner of revenue administration.

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 Twenty One

AN ACT relative to the close of a county's books of records.

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

1 1 Counties; Close of Books for Fiscal Year. Amend RSA 28:3-a to read as follows:

2 28:3-a County ***Close of Books***; Audits.

3 ***I. Counties shall close their books on or before 30 days following the end of the***
4 ***county fiscal year unless the county has been granted an extension by the commissioner of***
5 ***the department of revenue administration. The commissioner may grant one or more 30-***
6 ***day extensions for cause, and shall notify the chairperson of the county convention of each***
7 ***extension and the reasons it was granted.***

8 ***II.*** In the event that an audit is required or requested by resolution by either the board of
9 commissioners or the county convention, the commissioners, with the approval of the executive
10 committee of the county convention, shall engage the services of a certified public accountant
11 qualified in municipal and county finances for the purpose of conducting an audit of the county books
12 of records. The performance and scope of the audit shall be in accordance with generally-accepted
13 auditing standards. The audit shall include an examination for conformance with state and federal
14 laws and regulations relating to county finances, including rules adopted by the commissioner of
15 revenue administration pursuant to RSA 541-A, and shall also include an examination of any subject
16 of county finances that may be requested either by the commissioners, by the county convention, or
17 by the treasurer. The audit shall be completed within 120 days following the close of the books of the
18 county fiscal year. The commissioners shall cause the report of the auditor, together with the
19 customary management representation letter and management responses, to be published with or
20 supplementary to the annual reports of the county officers, with a copy forwarded to the department
21 of revenue administration. Upon completion of a county audit under this section, the county
22 convention shall review the audit, management representation letter, and management responses
23 for compliance with the criteria described in this section and may suggest alternative or additional
24 measures for use in subsequent audits.

25 2 Effective Date. This act shall take effect 60 days after its passage.