

Committee Report

REGULAR CALENDAR

March 12, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Majority of the Committee on Municipal and County Government to which was referred HB 560,

AN ACT relative to the election of Rockingham county officials. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Richard Tripp

FOR THE MAJORITY OF THE COMMITTEE

MAJORITY COMMITTEE REPORT

Committee:	Municipal and County Government
Bill Number:	HB 560
Title:	relative to the election of Rockingham county officials.
Date:	March 12, 2021
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2021-0187h

STATEMENT OF INTENT

This bill changes the term length in Rockingham County from two years to four years for the offices of sheriff, county attorney, county treasurer, register of deeds, and register of probate. The minority argues that this will make Rockingham County the sole county whose office term lengths differ from other counties in the state and may cause confusion as to the correct term lengths and thus should not be permitted. Should this be the case then the different term length for county commissioners in Carroll, Cheshire, Sullivan, Belknap, Rockingham, Merrimack and Coos counties with 4-2-2 terms for the three commissioners which differ from the remaining counties should not have been permitted either. The minority also argues the two year term is a New Hampshire tradition which permits removal of an undesirable office holder via frequent elections. The majority argues that while the two year term does permit eventual removal of marginal office holders, there are other means which can be used to more effectively achieve this. Further the portions of the two year term required to either become proficient in the position or campaign to retain the position reduces the efficiency and productivity of the office holder. The benefit of this change is the overall improvement of the efficiency and productivity of the office holder through the reduction of the time spent campaigning to retain the office held. This bill follows the example of differing county commissioner term lengths utilized in many counties to preserve the corporate knowledge used to administer the county.

Vote 11-8.

Rep. Richard Tripp
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Municipal and County Government

HB 560, relative to the election of Rockingham county officials. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Richard Tripp for the **Majority** of Municipal and County Government. This bill changes the term length in Rockingham County from two years to four years for the offices of sheriff, county attorney, county treasurer, register of deeds, and register of probate. The minority argues that this will make Rockingham County the sole county whose office term lengths differ from other counties in the state and may cause confusion as to the correct term lengths and thus should not be permitted. Should this be the case then the different term length for county commissioners in Carroll, Cheshire, Sullivan, Belknap, Rockingham, Merrimack and Coos counties with 4-2-2 terms for the three commissioners which differ from the remaining counties should not have been permitted either. The minority also argues the two year term is a New Hampshire tradition which permits removal of an undesirable office holder via frequent elections. The majority argues that while the two year term does permit eventual removal of marginal office holders, there are other means which can be used to more effectively achieve this. Further the portions of the two year term required to either become proficient in the position or campaign to retain the position reduces the efficiency and productivity of the office holder. The benefit of this change is the overall improvement of the efficiency and productivity of the office holder through the reduction of the time spent campaigning to retain the office held. This bill follows the example of differing county commissioner term lengths utilized in many counties to preserve the corporate knowledge used to administer the county. **Vote 11-8.**

Original: House Clerk

Cc: Committee Bill File

REGULAR CALENDAR

March 12, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Minority of the Committee on Municipal and County Government to which was referred HB 560,

AN ACT relative to the election of Rockingham county officials. Having considered the same, and being unable to agree with the Majority, report with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Marjorie Porter

FOR THE MINORITY OF THE COMMITTEE

**MINORITY
COMMITTEE REPORT**

Committee:	Municipal and County Government
Bill Number:	HB 560
Title:	relative to the election of Rockingham county officials.
Date:	March 12, 2021
Consent Calendar:	REGULAR
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

Although several counties elect one commissioner for a four-year term on a rotating basis, the minority knows of no other county or state-wide officials elected for more than two years, and for good reason. New Hampshire has no provision for recall of a bad official. Under the current two-year system, if an elected official goes rogue, performs poorly, or in other ways proves to be unworthy of the public trust, the voters can vote them out within a relatively short period. If four-year terms are allowed, a bad official can do a lot of damage before the voters have a say again.

Rep. Marjorie Porter
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Municipal and County Government

HB 560, relative to the election of Rockingham county officials. **INEXPEDIENT TO LEGISLATE.**

Rep. Marjorie Porter for the **Minority** of Municipal and County Government. Although several counties elect one commissioner for a four-year term on a rotating basis, the minority knows of no other county or state-wide officials elected for more than two years, and for good reason. New Hampshire has no provision for recall of a bad official. Under the current two-year system, if an elected official goes rogue, performs poorly, or in other ways proves to be unworthy of the public trust, the voters can vote them out within a relatively short period. If four-year terms are allowed, a bad official can do a lot of damage before the voters have a say again.

Original: House Clerk

Cc: Committee Bill File

Rep. Weyler, Rock. 13
January 29, 2021
2021-0187h
10/11

Amendment to HB 560

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

2

3 1 Rockingham County Officials; Election for 4-year Term. Amend RSA 653:1, V to read as
4 follows:

5 V. One sheriff, one county attorney, one county treasurer, one register of deeds, and one
6 register of probate by the voters in each county, ***except for Rockingham county. Beginning with***
7 ***the election in November 2022, Rockingham county shall elect one sheriff, one county***
8 ***attorney, one county treasurer, one register of deeds, and one register of probate for 4-year***
9 ***terms;***

Voting Sheets

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 560

BILL TITLE: relative to the election of Rockingham county officials.

DATE: February 8, 2021

LOB ROOM: Hybrid

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. Tripp

Seconded by Rep. Guthrie

AM Vote: 19-0

Amendment # 2021-0187h

Moved by Rep. Tripp

Seconded by Rep. Guthrie

Vote: 11-8

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep John MacDonald, Clerk



2021 SESSION

Municipal and County Government

Bill #: HB 560 Motion: Adoption of Amendment

AM #: 2021-0187H

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 #: HB560 Motion: OTP-A AM #: 2021-0187H 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.		1	
Klee, Patricia S.		2	
Tripp, Richard P.	2		
Guthrie, Joseph A.	3		
Lascelles, Richard W.	4		
McBride, Everett P.	5		
Melvin, Charles R.	6		
Ayer, Paul F.	7		
Pauer, Diane		3	
Gallager, Eric B.		4	
Treleaven, Susan GS	8		
Gilman, Julie D.		5	
Maggiore, Jim V.		6	
Stavis, Laurel		7	
Mangipudi, Latha D.		8	
Vann, Ivy C.	9		
MacDonald, John T. Clerk	10		
Dolan, Tom Chairman	11		
TOTAL VOTE:	11	8	

Rep. Weyler, Rock. 13
January 29, 2021
2021-0187h
10/11

Amendment to HB 560

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

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3 1 Rockingham County Officials; Election for 4-year Term. Amend RSA 653:1, V to read as
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7 ***the election in November 2022, Rockingham county shall elect one sheriff, one county***
8 ***attorney, one county treasurer, one register of deeds, and one register of probate for 4-year***
9 ***terms;***

Public Hearing

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON HB 560

BILL TITLE: relative to the election of Rockingham county officials.

DATE: February 1, 2021

LOB ROOM: Hybrid **Time Public Hearing Called to Order:** 12:00 p.m.

Time Adjourned: 12:30 p.m.

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

Bill Sponsors:

Rep. Weyler
Rep. S. Pearson

Rep. Milz
Sen. Birdsell

Rep. Pantelakos

TESTIMONY

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

Rep. Pearson - Co-sponsor of the bill. Solely deals with Rockingham County. The amendment 2021 - coming forward from sponsor for consideration. The election would be on 2022. Detailed experience for each job. More stability within the offices of the county. Not all of the commissioners are replaced at once.

Rep. Porter: County official was performing something illegal or corrupt. How would you handle this? How could they be removed? I don't know what we have in our laws. ANS: Will check to see what could be done legally.

Patricia Conway, County Attorney - In order to be a County Attorney, you need to be an attorney. Supports the change of statute. Job security for the employees knowing that the County Attorney will be in for four years.

Charles Massahos, Sheriff of Rockingham - Agrees with the County Attorney. If the Sheriff does anything illegal, they would lose their certification. Two years is not a sufficient time to reach goals. We were on the back of the ballot during this past election. Two years is not enough time.

***Cathy Stacey, Register of Deeds** - I did send in written testimony. Consistency in the office is necessary.

Rep. Gallagher: If the bill is so good, why wouldn't other counties want it?

Rep. Weyler - Co-sponsor of the bill. Is a pilot. To see if other counties want to participate.

Respectfully submitted,

Rep. John MacDonald
Clerk

House Remote Testify

Municipal and County Government Committee Testify List for Bill HB560 on 2021-02-01

Support: 8 Oppose: 3 Neutral: 0 Total to Testify: 2

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>
Massahos, Charles	cmassahos@rockso.org	An Elected Official	Myself	Support	Yes (0m)	No	1/28/2021 1:17 PM
Conway, Patricia	pconway@rcao.net	An Elected Official	Myself	Support	Yes (0m)	No	1/28/2021 6:53 PM
Birdsell, Senator Regina	regina.birdsell@leg.state.nh.us	An Elected Official	Senate District 19	Support	No	No	1/21/2021 5:16 PM
Stacey, Cathy	cstacey@nhdeeds.com	An Elected Official	Myself	Support	No	No	1/28/2021 12:07 PM
Yokela, Josh	josh.yokela@leg.state.nh.us	An Elected Official	Rockingham 33	Oppose	No	No	1/28/2021 8:23 PM
Abrami, Patrick	abrami.nhrep@gmail.com	An Elected Official	Rock 19	Support	No	No	1/29/2021 3:29 PM
Fordey, Nicole	nikkif610@gmail.com	A Member of the Public	Myself	Support	No	No	1/29/2021 6:12 PM
Rathbun, Eric	ericrathbun@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/31/2021 10:35 PM
Green, Dennis	dennisgreen1776@gmail.com	An Elected Official	Myself	Support	No	No	2/1/2021 8:48 AM
Doucette, Fred	fred.doucette@leg.state.nh.us	An Elected Official	Myself	Support	No	No	2/1/2021 9:15 AM
Cahill, Michael	michael.cahill@leg.state.nh.us	An Elected Official	Rockingham 17	Oppose	No	No	2/1/2021 11:55 AM

Testimony

Archived: Thursday, April 22, 2021 9:27:33 AM

From: Cathy

Sent: Friday, January 29, 2021 3:38:37 PM

To: ~House Municipal and County Govt

Subject: HB 560 - 2/1/21 at Noon

Importance: Normal

Attachments: [HB560.docx](#) ;

PLEASE FIND MY TESTIMONY IN SUPPORT OF HB 560. THANK YOU FOR YOUR CONSIDERATION.

CATHY STACEY

--

Cathy Ann Stacey, Register of Deeds
Rockingham County Registry of Deeds
10 Route 125, Brentwood NH 03833
(603) 642-5526 ph
(603) 642-3089 fx

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OFFICE OF REGISTER OF DEEDS

CATHY ANN STACEY
REGISTER OF DEEDS
ROCKINGHAM COUNTY
10 ROUTE 125
BRENTWOOD NH 03833

TELEPHONE:
603-642-5526
FAX:
603-642-5930

MAILING ADDRESS:
POST OFFICE BOX 896
KINGSTON NH 03848

January 28, 2021

Chairman Tom Dolan
Municipal and County Government Committee
NH House of Representatives
Concord NH 03301

Re: **SUPPORT OF HB 560**

Dear Chairman Dolan and Members of the Committee:

Thank you for the opportunity to submit my written testimony in support of HB 560. My name is Cathy Stacey and I currently serve as the Register of Deeds for Rockingham County.

Although my position is elected the functions of my position are administrative in nature. I have long believed candidates for this position should be required to possess knowledge of real property interests, knowledge of the significant statutory requirements, possess strong supervisory skills and understand the budget process. As you know the only requirement is to live within the County.

Elected county positions territories encompass vast numbers of towns/cities requiring significant time spent campaigning. We do not draft nor vote on legislation. We administer our offices. Unfortunately, even with the enormous effort placed on meeting and attempting to educate the public about these positions, if you asked many voters about county positions, they have no idea what we do.

The current election cycle scheme results in the official having little over one year to focus on objectives of the office with the remaining time spent balancing office oversight with the necessity to campaign for re-election. It would be beneficial to the citizens to have more consistency in the administration of the office by extending the term from two to four years. This would enable the elected official more time for long-range planning, research and implementation of new processes to keep the respective offices up to date with current trends.

The challenges in 2020 brought to the forefront an increased importance of focusing on the daily functions of this “essential office” to ensure it remained open for real estate activity. I will share that fifty (50%) percent of my staff took advantage of a voluntary ten-week furlough because of their concerns over COVID-19. During that time my office remained open, accessible and responsive to the public. My responsibility was and is to administer my office, keep staff protected from the virus and continue to ensure no disruption in real estate activity. Rockingham County experienced its most active year since 2008. The Registry of Deeds is BIG BUSINESS! In fiscal 2020 I turned over \$47,322,837.00 to the State and \$4,225,288.00 to the County.

To state campaigning or the election during this past year was challenging is an understatement. Whether it’s this year or another election cycle the reality is, it is a distraction and I have an important job to do. A job that requires my full attention. It is a distraction not only for the elected official trying to provide the best services possible to the public but it is a far bigger distraction to staff.

Bi-annually staff are expected to remain focused on the task at hand but the reality is they fear the unknown when it comes to elections. The “what if’s” can be debilitating. Staff ask questions about Facebook postings, newspaper reports and become quite upset when opponents come to the office to introduce themselves (a practice I find offensive). Staff are the backbone of our offices. We rely on them to ensure daily requirements of the office are met. The stress placed upon them is significant. I believe extending the term will lessen the unease felt by employees and allow elected officials to focus on setting strategic goals and achieving those goals which best serve the public.

The final point I will share is my personal disappointment with election results that historically show that voter participation towards candidates located at the bottom of the ballot wanes. This is an unfortunate reality. County positions appear to be the most obscure but in many ways some of the most important jobs.

In closing, I ask that you support HB 560 as it pertains to Rockingham County Officials and change our positions to a four-year term.

Thank you for your courtesy.

Sincerely,

Cathy Ann Stacey
Cathy Ann Stacey

Bill as
Introduced

HB 560 - AS INTRODUCED

2021 SESSION

21-0713

10/11

HOUSE BILL **560**

AN ACT relative to the election of Rockingham county officials.

SPONSORS: Rep. Weyler, Rock. 13; Rep. Milz, Rock. 6; Rep. Pantelakos, Rock. 25; Rep. S. Pearson, Rock. 6; Sen. Birdsell, Dist 19

COMMITTEE: Municipal and County Government

ANALYSIS

This bill changes the term of the election of county officers in Rockingham county to 4 years beginning in 2022.

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 election of Rockingham county officials.

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

1 1 Rockingham County Officials; Election for 4-year Term. Amend RSA 653:1, V to read as
2 follows:

3 V. One sheriff, one county attorney, one county treasurer, one register of deeds, and one
4 register of probate by the voters in each county, ***except for Rockingham county. Beginning with***
5 ***the election in November 2022, Rockingham county shall elect one sheriff, one county***
6 ***attorney, one register of deeds, and one register of probate for 4-year terms;***

7 2 Effective Date. This act shall take effect 60 days after its passage.