

CONSENT CALENDAR

January 25, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Municipal and County Government
to which was referred HB 148,**

**AN ACT to raise the minimum value of county
purchases of equipment or materials which are subject
to competitive bidding. Having considered the same,
report the same with the following resolution:**

RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Diane Pauer

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Municipal and County Government
Bill Number:	HB 148
Title:	to raise the minimum value of county purchases of equipment or materials which are subject to competitive bidding.
Date:	January 25, 2023
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill increases the minimum value of equipment or material purchases subject to competitive bidding made by the office of county sheriff, county attorney, county treasurer and county register of deeds. The bill raises the minimum value threshold from \$5,000 to \$10,000 for all counties. The committee was unable to properly and fully evaluate the merits of the bill and subsequently make an informed decision due to the nonappearance of witnesses and the near absence of substantive testimony at the hearing.

Vote 18-2.

Rep. Diane Pauer
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Municipal and County Government

HB 148, to raise the minimum value of county purchases of equipment or materials which are subject to competitive bidding. **INEXPEDIENT TO LEGISLATE.**

Rep. Diane Pauer for Municipal and County Government. This bill increases the minimum value of equipment or material purchases subject to competitive bidding made by the office of county sheriff, county attorney, county treasurer and county register of deeds. The bill raises the minimum value threshold from \$5,000 to \$10,000 for all counties. The committee was unable to properly and fully evaluate the merits of the bill and subsequently make an informed decision due to the nonappearance of witnesses and the near absence of substantive testimony at the hearing. **Vote 18-2.**

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 148

BILL TITLE: to raise the minimum value of county purchases of equipment or materials which are subject to competitive bidding.

DATE: January 19, 2023

LOB ROOM: 301 - 303

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Pauer

Seconded by Rep. T. Cahill

Vote: 18-2

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep John MacDonald, Clerk



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/9/2023 12:06:25 PM
Roll Call Committee Registers
Report

2023 SESSION

Municipal and County Government

Bill #: HB148 Motion: ITL AM #: _____ Exec Session Date: 1/19/23

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Turcotte, Len P. Chairman	18		
Pauer, Diane Vice Chairman	1		
Guthrie, Joseph A.	2		
MacDonald, John T. Clerk	3		
Lascelles, Richard W.	4		
Yokela, Josh S.	5		
Kelley, Diane E.	6		
Aylward, Deborah	7		
Brown, Richard R	8		
Cahill, Tim P	9		
Stavis, Laurel	10		
Tatro, Bruce L.	11		
Treleaven, Susan GS		1	
Gilman, Julie D.		2	
Maggiore, Jim V. <u>RUNG</u>	12		
Mangipudi, Latha D.	13		
Gallager, Eric B.	14		
Hicks, Matthew S	15		
Howland, Allan	16		
Preece, David John	17		
TOTAL VOTE:	18	2	

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON HB 148

BILL TITLE: to raise the minimum value of county purchases of equipment or materials which are subject to competitive bidding.

DATE: January 11, 2023

LOB ROOM: 301-303 **Time Public Hearing Called to Order:** 11:50 a.m.

Time Adjourned: 11:56 a.m.

Committee Members: Reps. L. Turcotte, Pauer, J. MacDonald, Guthrie, Lascelles, Yokela, D. Kelley, Aylward, T. Cahill, Stavis, Tatro, Treleaven, Gilman, Maggiore, Mangipudi, Gallagher, Hicks, Howland and Preece

Bill Sponsors:
Rep. Edwards

TESTIMONY

- * Use asterisk if written testimony and/or amendments are submitted.
- Introduced by Rep. Maggiore
 - Derek Ferland - county manager Sullivan County - updates the threshold 5,000 to 10,000 - inclined with practice of government and council. Will apply to all ten counties.
 - Rep. Guthrie - how do we still have Hillsborough county separate?
 - Rep. Ferland - that would change to 10,000 also
 - Rep. Stavis - "remove all counties of the state"
 - Ferland - wouldn't be comfortable in answering that without speaking with sponsor

Respectfully Submitted,
Representative MacDonald, Clerk

House Remote Testify

Municipal and County Government Committee Testify List for Bill HB148 on 2023

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

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SUMMARY OF BILLS TO AMEND COUNTY RSAs

Overview: This document organizes the seven bills introduced to the Municipal & County Government Committee at a Public Hearing on 11 January 2023 into two general categories. The categories are dollar thresholds and clarity/consistency.

DOLLAR THRESHOLDS: Four bills are in this category.

HB 148: Amends RSA 28:8 to raise the threshold for competitive bidding on purchases from \$5,000 to \$10,000.

HB 75: Amends RSA 28:8-a to raise the threshold for competitive bidding for the sale of personal property from \$300 to \$3,000.

HB 87: Amends RSA 24:13, I to raise the threshold for erection, enlargement, or repair of buildings from \$5,000 to \$25,000. There is a forthcoming amendment to HB 87 to add clarity to the grammar and verbiage of this RSA.

HB 83: Amends RSA 28:5 and RSA 28:7 to delete the thresholds and add a cross-reference to RSA 24:13, I for clarity and to reduce the possibility of future errors when the threshold is changed. It also deletes RSA 30-B:2 which is entirely redundant.

CLARITY / CONSISTENCY: Three bills are in this category.

HB 41: Repeals RSA 24:9-d and replaces with language that cross-references RSA 91-A:2 for meeting notices. It also amends RSA 24:14-a to add a 7-day notice for public hearings pursuant to supplemental appropriations. This 7-day notice is consistent with language for public hearings relative to county bonds as described in RSA 33:10.

HB 80: Amends RSA 72:23, II to clarify the list of lands and buildings used by counties for governmental purposes that are exempt from taxation. It also includes a cross-reference to RSA 72:23, I(b) for land and buildings that are subject to taxation.

HB 43: Amends RSA 28:8-c and 28:8-d, I to clarify County Commissioner authority relative to property (both real property and personal property) and distinguish it from the county convention's authority relative to real estate. RSA 24:13 clearly enumerates specific authority to the county convention for all matters pertaining to real estate (acquisition, sale, use, and conveyance) as well as the erection, enlargement, or repair of buildings. All matters involving real or personal property – to include disposal – are the

President
Wendy Piper
Grafton County Commissioner

Vice President
Cathy Stacey
Rockingham Register of Deeds

At Large Member
Toni Pappas
Hillsborough County Commissioner

At Large Member
Ross Cunningham
Merrimack County Administrator



11 South Main Ste. 200
Concord, NH 03301

info@nhcounties.org

www.nhcounties.org

Immediate Past President
Chuck Weed
Cheshire County Commissioner

Treasurer
Charles Nickerson
Rockingham Finance Director

Bylaws Chair
Chris Coates
Cheshire County Administrator

January 9, 2023

Representative Len Turcotte
Chair
Municipal and County Government Committee
NH House of Representatives

Chairman Turcotte and Members of the House Municipal and County Government Committee,

The NH Association of Counties is currently undertaking a review of all legislative bills filed for 2023. HB 148, to raise the minimum value of county purchases of equipment or materials which are subject to competitive bidding, is a bill that the Association is closely monitoring but has not taken a formal position on. As the Association moves through its formal review process and establishes a position, the Association will provide an update to this Committee.

Thank you for your attention and please reach out to Kate Horgan at khorgan@dupontgroup.com with any questions that you may have.

Sincerely,

Wendy Piper
President
NH Association of Counties

HB 148 - AS INTRODUCED

2023 SESSION

23-0231

02/04

HOUSE BILL **148**

AN ACT to raise the minimum value of county purchases of equipment or materials which are subject to competitive bidding.

SPONSORS: Rep. Edwards, Rock. 31

COMMITTEE: Municipal and County Government

ANALYSIS

This bill increases the minimum value of county contracts subject to competitive bidding and makes this value consistent across all counties.

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 Three

AN ACT to raise the minimum value of county purchases of equipment or materials which are subject to competitive bidding.

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

1 1 Repeal. RSA 28:8-f, relative to competitive bidding in Rockingham county, is repealed.

2 2 Competitive Bidding on Purchases. Amend RSA 28:8 to read as follows:

3 28:8 Competitive Bidding on Purchases.

4 ***I. The provisions of this section shall apply to all counties in the state and the***
5 ***offices of county sheriff, county attorney, county treasurer, and register of deeds.***

6 ***II.*** Any purchase of equipment or materials made by a county in an amount exceeding
7 ~~[\$5,000]~~ ***\$10,000*** shall be by competitive bidding, provided that the county commissioners by
8 unanimous vote may waive the provisions for such bidding. In case the commissioners so vote a copy
9 of such action shall be recorded in their offices with a statement of the reason therefor and such
10 record shall be open to public inspection. Orders for equipment or material to be delivered at
11 different times where the single delivery may be less than ~~[\$5,000]~~ ***\$10,000*** but the total order
12 exceeds that amount shall be construed as coming within the provisions hereof requiring competitive
13 bidding.

14 3 Competitive Bidding; Hillsborough County. Amend RSA 28:8-e, I to read as follows:

15 I. All purchases made by Hillsborough County for materials, equipment, supplies, services,
16 insurance, building repairs or any other item, in an amount exceeding ~~[\$5,000]~~ ***\$10,000*** shall be by
17 competitive bidding. Awards for such purchases shall be made to the lowest responsible bidder.
18 Orders for purchases to be delivered at different times where the single delivery may be less than
19 ~~[\$5,000]~~ ***\$10,000***, but the total order exceeds that amount shall be construed as coming within the
20 provisions of this section requiring competitive bidding.

21 4 Effective Date. This act shall take effect 60 days after its passage.