

CONSENT CALENDAR

January 25, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Municipal and County Government
to which was referred HB 83,**

**AN ACT relative to county commissioners' authority on
county buildings. Having considered the same, report
the same with the following amendment, and the
recommendation that the bill OUGHT TO PASS WITH
AMENDMENT.**

Rep. Richard Lascelles

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Municipal and County Government
Bill Number:	HB 83
Title:	relative to county commissioners' authority on county buildings.
Date:	January 25, 2023
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2023-0119h

STATEMENT OF INTENT

As amended, the majority of the committee agreed the threshold for county commissioners to perform maintenance or repairs on county buildings be raised from \$5000 to \$25,000. In addition, this bill raises the limit from \$5000 to \$25,000 allowing commissioners, when authorized by the county convention, to build or sell/buy county real estate.

Vote 18-1.

Rep. Richard Lascelles
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Municipal and County Government

HB 83, relative to county commissioners' authority on county buildings. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Richard Lascelles for Municipal and County Government. As amended, the majority of the committee agreed the threshold for county commissioners to perform maintenance or repairs on county buildings be raised from \$5000 to \$25,000. In addition, this bill raises the limit from \$5000 to \$25,000 allowing commissioners, when authorized by the county convention, to build or sell/buy county real estate. **Vote 18-1.**

Original: House Clerk
Cc: Committee Bill File

Amendment to HB 83

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Counties; County Buildings. Amend RSA 28:5 to read as follows:

4 28:5 County Buildings. The county commissioners may repair, enlarge, or erect county
5 buildings at an expense not exceeding [~~\$5,000~~] **\$25,000**.

6 2 Counties; Real Estate. Amend RSA 28:7 to read as follows:

7 28:7 Real Estate. When so authorized by the county convention they may purchase such real
8 estate as may be required for county correctional facilities, including county farms, or other county
9 uses, and may repair, enlarge or erect county buildings at a cost exceeding [~~\$5,000~~] **\$25,000**; and,
10 with like authority, they may sell any of the county's real estate.

11 3 Effective Date. This act shall take effect 60 days after its passage.

Amendment to HB 83
- Page 2 -

2023-0119h

AMENDED ANALYSIS

This bill increases the expense thresholds for county commissioners' authority to purchase real estate and repair, enlarge, or erect county buildings.



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 #: HB883 Motion: OTP-A AM #: 2023-0119H Exec Session Date: 1/23/23

<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.		1	
Kelley, Diane E.	5		
Aylward, Deborah	6		
Brown, Richard R	7		
Cahill, Tim P	8		
Stavis, Laurel	9		
Tatro, Bruce L.	10		
Treleaven, Susan GS			
Gilman, Julie D.	11		
Maggiore, Jim V.	12		
Mangipudi, Latha D.	13		
Gallager, Eric B.	14		
Hicks, Matthew S	15		
Howland, Allan	16		
Preece, David John	17		
TOTAL VOTE:	18	1	



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 #: HB83 Motion: Adopt Amend AM #: 2023-0119H Exec Session Date: 1/25/23

Members	YEAS	Nays	NV
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.		1	
Kelley, Diane E.	5		
Aylward, Deborah	6		
Brown, Richard R	7		
Cahill, Tim P	8		
Stavis, Laurel	9		
Tatro, Bruce L.	10		
Treleaven, Susan GS		Absent	
Gilman, Julie D.	11		
Maggiore, Jim V.	12		
Mangipudi, Latha D.	13		
Gallager, Eric B.	14		
Hicks, Matthew S	15		
Howland, Allan	16		
Preece, David John	17		
TOTAL VOTE:			

18-1

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON HB 83

BILL TITLE: relative to county commissioners' authority on county buildings.

DATE: January 11, 2023

LOB ROOM: 301 - 303 **Time Public Hearing Called to Order:** 2:45 p.m.

Time Adjourned: 3:00 p.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. Aron

Rep. Rollins

Rep. C. McGuire

Rep. Stapleton

Rep. Cloutier

TESTIMONY

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

Rep. Judy Aron - Prime sponsor of the bill. Recommend the change so the dollar amount can be found in one place.

Rep. Stavis: Requires it be authorized by the county convention and HB 43 does not require it.
ANS: It is real property, is the difference.

Rep. Pauer: I am confused, line 9, repeal RSA 30-B:2? ANS: That is redundant to that.

Rep. Maggiore: Historical problem on housekeeping? ANS: Housekeeping.

Derek Ferland - Supports the bill. Looking at the threshold - ref. IV 3 different RSA's. Specifying the dollar value is redundant. No additional value by adding a dollar value making repairs that exceed \$5,000 dollars. We didn't have time to get it approved. We did have a maintenance line to cover it. 30-B:2 = the county commissioner may repair county correctional facilities. Redundant - delete in the interest of housekeeping.

Respectfully submitted,

Rep. John MacDonald
Clerk

House Remote Testify

Municipal and County Government Committee Testify List for Bill HB83 on 2023-01-11

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

[Export to Excel](#)

Municipal and County Government Committee
HB 83 relative to county commissioners' authority on county buildings.

1/11/23

Dear Municipal and County Government Committee Members,

I am here today to introduce HB83.

This bill removes references to expense thresholds for county commissioners' authority to purchase real estate and repair, enlarge, or erect county buildings.

In the first 2 sections of this bill, RSA 28:5 and RSA 28:7 authorization from the county convention is required and this dollar threshold is already articulated in RSA 24:13. Duplicating the threshold in RSA 28:5 and RSA 28:7 merely introduces the probability for error if either of these, or RSA 24:13, is ever updated. I am recommending this change so that the dollar amount can be referenced in one place.

The repeal of RSA 30-B:2 is requested because this RSA is entirely redundant with RSA 28:7 and RSA 72:23.

Sullivan County Manager, Derek Ferland, will be adding more to this testimony.

Thank you,

Judy Aron - NH State Representative -Sullivan County District 4 - Acworth, Goshen. Langdon, Lempster,
Washington - 266 Forest Rd., South Acworth, NH 03607 - 603-843-5908

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.

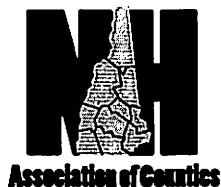
HB 43: Amends RSA 28:8-c and 28:8-d, I to clarify County Commissioner authority relative to property (both real property and personal property) and distinguish it from the county convention's authority relative to real estate. RSA 24:13 clearly enumerates specific authority to the county convention for 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
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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 83, relative to county commissioners' authority on county buildings, 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 83 - AS INTRODUCED

2023 SESSION

23-0147

02/10

HOUSE BILL **83**

AN ACT relative to county commissioners' authority on county buildings.

SPONSORS: Rep. Aron, Sull. 4; Rep. Rollins, Sull. 3; Rep. C. McGuire, Merr. 27; Rep. Stapleton, Sull. 6; Rep. Cloutier, Sull. 6

COMMITTEE: Municipal and County Government

ANALYSIS

This bill removes references to expense thresholds for county commissioners' authority to purchase real estate and repair, enlarge, or erect county buildings.

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.

HB 83 - AS INTRODUCED

23-0147

02/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to county commissioners' authority on county buildings.

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

1 1 Counties; County Buildings. Amend RSA 28:5 to read as follows:

2 28:5 County Buildings. The county commissioners may repair, enlarge, or erect county
3 buildings ~~[at an expense not exceeding \$5,000]~~ ***when so authorized by the county convention.***

4 2 Counties; Real Estate. Amend RSA 28:7 to read as follows:

5 28:7 Real Estate. When so authorized by the county convention they may purchase such real
6 estate as may be required for county correctional facilities, including county farms, or other county
7 uses, and may repair, enlarge or erect county buildings ~~[at a cost exceeding \$5,000]~~; and, with like
8 authority, they may sell any of the county's real estate.

9 3 Repeal. RSA 30-B:2, relative to county corrections real estate and buildings, is repealed.

10 4 Effective Date. This act shall take effect 60 days after its passage.