

LEGISLATIVE COMMITTEE MINUTES

HB83

Bill as Introduced

HB 83 - AS AMENDED BY THE HOUSE

2Feb2023... 0119h

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

AMENDED ANALYSIS

This bill increases the 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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 AMENDED BY THE HOUSE

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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~~] **\$25,000**.
- 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~~] **\$25,000**; and,
- 8 with like authority, they may sell any of the county's real estate.
- 9 3 Effective Date. This act shall take effect 60 days after its passage.

HB 83 - AS AMENDED BY THE SENATE

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03/30/2023 1136s

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This bill does the following:

1. It increases the expense thresholds for county commissioners' authority to purchase real estate and repair, enlarge, or erect county buildings.
2. It raises the monetary cap on the value of enlargements or repairs to county buildings vested in the county convention.
3. It increases the minimum value threshold of county personal property subject to competitive bidding.

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4 (b) To make appropriations for the use of the county; ~~[and]~~

5 (c) To authorize the purchase of real estate for its use, the sale and conveyance of its
6 real estate~~];~~

7 (d) ***To authorize*** the erection, enlargement or repair of its buildings exceeding an
8 expense of ~~[\$5,000]~~ ***\$25,000***~~];~~ and ~~[the issuing of]~~

9 (e) ***To issue*** bonds for its debts~~], shall be vested in the county convention].~~

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17 with like authority, they may sell any of the county's real estate.

18 4 County Commissioners; Competitive Bidding on Sales of Personal Property. Amend RSA 28:8-
19 a to read as follows:

20 28:8-a Competitive Bidding on Sales of Personal Property. Any sale of personal property made
21 by a county where the estimated value thereof is in excess of ~~[\$300]~~ ***\$3,000*** shall be by competitive
22 bidding, provided that the county commissioners by unanimous vote may waive the provisions for
23 such bidding. In case the commissioners so vote a copy of such action shall be recorded in their
24 offices with a statement of the reasons therefor and such record shall be open to public inspection.

25 5 Repeal. RSA 30-B:2, relative to county corrections real estate and buildings, is repealed.

26 6 Effective Date. This act shall take effect 60 days after its passage.

HB 83 - VERSION ADOPTED BY BOTH BODIES

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HOUSE BILL **83**

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

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5 (c) To authorize the purchase of real estate for its use, the sale and conveyance of its
6 real estate~~];~~

7 (d) **To authorize** the erection, enlargement or repair of its buildings exceeding an
8 expense of ~~[\$5,000]~~ **\$25,000**~~];~~ and ~~[the issuing of]~~

9 (e) **To issue** bonds for its debts~~[-shall be vested in the county convention].~~

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15 estate as may be required for county correctional facilities, including county farms, or other county
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17 with like authority, they may sell any of the county's real estate.

18 4 County Commissioners; Competitive Bidding on Sales of Personal Property. Amend RSA 28:8-
19 a to read as follows:

20 28:8-a Competitive Bidding on Sales of Personal Property. Any sale of personal property made
21 by a county where the estimated value thereof is in excess of ~~[\$300]~~ **\$3,000** shall be by competitive
22 bidding, provided that the county commissioners by unanimous vote may waive the provisions for
23 such bidding. In case the commissioners so vote a copy of such action shall be recorded in their
24 offices with a statement of the reasons therefor and such record shall be open to public inspection.

25 5 Repeal. RSA 30-B:2, relative to county corrections real estate and buildings, is repealed.

26 6 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 178
HB 83 - FINAL VERSION

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HOUSE BILL **83**

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

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

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1 178:1 County Conventions; Powers. Amend RSA 24:13, I to read as follows:

2 I. The ~~[power]~~ **following powers shall be vested in the county convention:**

3 (a) To raise county taxes~~];~~

4 (b) To make appropriations for the use of the county; ~~[and]~~

5 (c) To authorize the purchase of real estate for its use, the sale and conveyance of its
6 real estate~~];~~

7 (d) **To authorize** the erection, enlargement or repair of its buildings exceeding an
8 expense of ~~[\$5,000]~~ **\$25,000**~~];~~ and ~~[the issuing of]~~

9 (e) **To issue** bonds for its debts~~], shall be vested in the county convention].~~

10 178:2 Counties; County Buildings. Amend RSA 28:5 to read as follows:

11 28:5 County Buildings. The county commissioners may repair, enlarge, or erect county
12 buildings at an expense not exceeding ~~[\$5,000]~~ **\$25,000**.

13 178:3 Counties; Real Estate. Amend RSA 28:7 to read as follows:

14 28:7 Real Estate. When so authorized by the county convention they may purchase such real
15 estate as may be required for county correctional facilities, including county farms, or other county
16 uses, and may repair, enlarge or erect county buildings at a cost exceeding ~~[\$5,000]~~ **\$25,000**; and,
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18 178:4 County Commissioners; Competitive Bidding on Sales of Personal Property. Amend RSA
19 28:8-a to read as follows:

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21 by a county where the estimated value thereof is in excess of ~~[\$300]~~ **\$3,000** shall be by competitive
22 bidding, provided that the county commissioners by unanimous vote may waive the provisions for
23 such bidding. In case the commissioners so vote a copy of such action shall be recorded in their
24 offices with a statement of the reasons therefor and such record shall be open to public inspection.

25 178:5 Repeal. RSA 30-B:2, relative to county corrections real estate and buildings, is repealed.

178:6 Effective Date. This act shall take effect 60 days after its passage.

Approved: August 04, 2023
Effective Date: October 03, 2023

Amendments

Amendment to HB 83

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

2

3 1 County Conventions; Powers. Amend RSA 24:13, I to read as follows:

4 I. The ~~power~~ **following powers shall be vested in the county convention:**

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7 (c) To authorize the purchase of real estate for its use, the sale and conveyance of its
8 real estate~~;~~;

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10 expense of ~~[\$5,000]~~ **\$25,000**~~];~~ and ~~[the issuing of]~~

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12 2 Counties; County Buildings. Amend RSA 28:5 to read as follows:

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14 buildings at an expense not exceeding ~~[\$5,000]~~ **\$25,000**.

15 3 Counties; Real Estate. Amend RSA 28:7 to read as follows:

16 28:7 Real Estate. When so authorized by the county convention they may purchase such real
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18 uses, and may repair, enlarge or erect county buildings at a cost exceeding ~~[\$5,000]~~ **\$25,000**; and,
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25 such bidding. In case the commissioners so vote a copy of such action shall be recorded in their
26 offices with a statement of the reasons therefor and such record shall be open to public inspection.

27 5 Repeal. RSA 30-B:2, relative to county corrections real estate and buildings, is repealed.

28 6 Effective Date. This act shall take effect 60 days after its passage.

2023-1066s

AMENDED ANALYSIS

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

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8 real estate~~[-]~~;

9 (d) **To authorize** the erection, enlargement or repair of its buildings exceeding an
10 expense of ~~[\$5,000]~~ **\$25,000**~~[-]~~; and ~~[the issuing of]~~

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25 such bidding. In case the commissioners so vote a copy of such action shall be recorded in their
26 offices with a statement of the reasons therefor and such record shall be open to public inspection.

27 5 Repeal. RSA 30-B:2, relative to county corrections real estate and buildings, is repealed.

28 6 Effective Date. This act shall take effect 60 days after its passage.

2023-1136s

AMENDED ANALYSIS

This bill does the following:

1. It increases the expense thresholds for county commissioners' authority to purchase real estate and repair, enlarge, or erect county buildings.
2. It raises the monetary cap on the value of enlargements or repairs to county buildings vested in the county convention.
3. It increases the minimum value threshold of county personal property subject to competitive bidding.

Committee Minutes

SENATE CALENDAR NOTICE

Election Law and Municipal Affairs

Sen James Gray, Chair
Sen Keith Murphy, Vice Chair
Sen Daryl Abbas, Member
Sen Donna Soucy, Member
Sen Rebecca Perkins Kwoka, Member

Date: March 13, 2023

HEARINGS

Tuesday		03/21/2023
(Day)		(Date)
Election Law and Municipal Affairs		Legislative Office Building 103 9:30 a.m.
(Name of Committee)		(Place) (Time)
9:30 a.m.	HB 75	to increase the threshold of county owned personal property subject to competitive bidding.
9:35 a.m.	HB 83	relative to county commissioners' authority on county buildings.
9:40 a.m.	HB 87	relative to county responsibility for capital building projects.
9:45 a.m.	HB 72	relative to the tenure of public librarians.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 75

Rep. Aron
Rep. Potucek

Rep. Rollins
Rep. Cloutier

Rep. Stapleton

Rep. Guthrie

HB 83

Rep. Aron
Rep. Cloutier

Rep. Rollins

Rep. C. McGuire

Rep. Stapleton

HB 87

Rep. Aron
Rep. Rollins

Rep. Stapleton
Rep. Cloutier

Rep. Plett
Rep. Potucek

Rep. Guthrie

HB 72

Rep. C. Harvey

Tricia Melillo 271-3077

James P. Gray
Chairman

Senate Election Law and Municipal Affairs Committee
Kevin Condict 271-3469

HB 83, relative to county commissioners' authority on county buildings.

Hearing Date: March 21, 2023

Time Opened: 9:35 a.m. **Time Closed:** 9:37 a.m.

Members of the Committee Present: Senators Gray, Murphy and Perkins Kwoka

Members of the Committee Absent : Senators Abbas and Soucy

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

Sponsors:

Rep. Aron
Rep. Stapleton

Rep. Rollins
Rep. Cloutier

Rep. C. McGuire

Who supports the bill: Kate Horgan.

Who opposes the bill: None.

Summary of testimony presented in support:

Senator Keith Murphy introduced House Bill 83 in place of the bill's prime sponsor, Representative Aron.

Kate Horgan, New Hampshire Association of Counties.

- Kate Horgan stated that HB 83 simply increases the threshold for the county commissioners to repair, enlarge, or erect county buildings from \$5,000 to \$25,000.
- Ms. Horgan pointed out that the statute altered by this bill has not been updated since the mid-1980s.
- Senator Gray stated that due to the similar subject matter, Amendment #1066s has been drafted for this bill, which combines the language of HB 75, HB 83, and HB 87.
 - Ms. Horgan stated that the NHAC has no issue with Senator Gray's amendment.

Speakers

Senate Election Law and Municipal Affairs Committee

SIGN-IN SHEET

Date: March 21, 2023 Time: 9:35 a.m.

HB 83 An Act relative to county commissioners' authority on county buildings.

PRIME: Representative Aron

Name/Representing *(please print neatly)*

	Support	Oppose	Speaking?	Yes	No
✓ Kede Haggan NHAC	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Testimony

Senate Election Law and Municipal Affairs Committee
HB 83 relative to county commissioners' authority on county buildings.

03/14/23

Dear Senate Election Law and Municipal Affairs Committee Members,

This testimony introduces HB83 to your committee.

This bill updates the thresholds in RSA 28:5 and RSA 28:7 for county commissioners' authority to purchase real estate and repair, enlarge, or erect county buildings.

\$25,000 is a widely used threshold to distinguish capital project/repairs from non-capital project/repairs. Capital project/repairs are normally singled out for approval in the county budgeting process, so delegation oversight and approval of these larger projects would be accomplished during each budget cycle.

To account for inflation and the fact that not much can be done these days for non-capital improvement for up to \$5,000, it was unanimously accepted by the House that raising this threshold to \$25,000 was acceptable. It was felt that our county commissioners could make these decisions without calling a delegation meeting to proceed for these smaller projects. This streamlines the process for these smaller projects to go ahead without waiting for delegation meeting schedules and approval.

I'd be happy to answer any questions from the committee.

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

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

March 10, 2023

Senator James Gray
Chair
Election Law and Municipal Affairs Committee
NH Senate
Concord, NH 03301

Chairman Gray and Members of the Senate Election Law and Municipal Affairs Committee,

The NH Association of Counties is in support of HB 83, relative to county commissioners' authority on county buildings. This bill simply increases the expense that county commissioners may spend to repair, enlarge or erect county buildings from \$5,000 to \$25,000. This statute has not been updated since the mid 1980's. This bill would simply reflect the increase in inflation over the past several years. The county convention maintains control over the purchase and sale of real estate.

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

Voting Sheets

**Senate Election Law
& Municipal Affairs Committee
EXECUTIVE SESSION RECORD
2023 Session**

Bill **HB 83**

Hearing date: 03/21/2023

Executive Session date: 03/21/2023

Motion of: Amendment 10665 Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
Sen. Murphy, Vice Chair	X	X	<input type="checkbox"/>	X	<input type="checkbox"/>
Sen. Abbas	X	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
Sen. Soucy	X	<input type="checkbox"/>	X	X	<input type="checkbox"/>
Sen. Perkins Kwoka	X	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

Motion of: OTP w/ Amendment Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
Sen. Murphy, Vice Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
Sen. Abbas	X	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
Sen. Soucy	X	<input type="checkbox"/>	X	X	<input type="checkbox"/>
Sen. Perkins Kwoka	X	X	<input type="checkbox"/>	X	<input type="checkbox"/>

Motion of: Consent Calendar Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	X	<input type="checkbox"/>	X	X	<input type="checkbox"/>
Sen. Murphy, Vice Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
Sen. Abbas	X	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
Sen. Soucy	X	X	<input type="checkbox"/>	X	<input type="checkbox"/>
Sen. Perkins Kwoka	X	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

Reported out by: Sen. Gray

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Tuesday, March 21, 2023

THE COMMITTEE ON Election Law and Municipal Affairs

to which was referred **HB 83**

AN ACT

relative to county commissioners' authority on
county buildings.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 1136s

Senator James Gray
For the Committee

This bill as amended increases the expense thresholds to \$25,000 dollars for county commissioners' authority to purchase real estate and repair, enlarge, or erect county buildings and raises the monetary cap to \$25,000 dollars on the value of enlargements or repairs to county buildings. These thresholds have not been adjusted since the 1990's. Additionally, this legislation will increase the minimum value threshold from \$300 to \$3,000 dollars of county personal property subject to competitive bidding.

Tricia Melillo 271-3077

General Court of New Hampshire - Bill Status System

Docket of HB83

Docket Abbreviations

Bill Title: relative to county commissioners' authority on county buildings.**Official Docket of HB83.:**

Date	Body	Description
12/23/2022	H	Introduced 01/04/2023 and referred to Municipal and County Government
1/5/2023	H	Public Hearing: 01/11/2023 02:45 pm LOB 301-303
1/18/2023	H	Executive Session: 01/25/2023 10:30 am LOB 301-303
1/30/2023	H	Committee Report: Ought to Pass with Amendment #2023-0119h 01/25/2023 (Vote 18-1; CC) HC 9 P. 4
2/2/2023	H	Amendment #2023-0119h : AA VV 02/02/2023 HJ 4
2/2/2023	H	Ought to Pass with Amendment 2023-0119h: MA VV 02/02/2023 HJ 4
3/7/2023	S	Introduced 02/22/2023 and Referred to Election Law and Municipal Affairs; SJ 9
3/9/2023	S	==CANCELLED== Hearing: 03/14/2023, Room 103, LOB, 09:30 am; SC 13
3/13/2023	S	==RESCHEDULED== Hearing: 03/21/2023, Room 103, LOB, 09:35 am; SC 14
3/22/2023	S	Committee Report: Ought to Pass with Amendment #2023-1136s , 03/30/2023; Vote 5-0; CC; SC 15
3/30/2023	S	Committee Amendment #2023-1136s , AA, VV; 03/30/2023; SJ 12
3/30/2023	S	Ought to Pass with Amendment 2023-1136s, MA, VV; OT3rdg; 03/30/2023; SJ 12
6/15/2023	H	House Concurs with Senate Amendment 2023-1136s (Rep. L. Turcotte): MA DV 301-69 06/15/2023 HJ 15
7/18/2023	S	Enrolled Adopted, VV, (In recess 06/29/2023); SJ 20
7/19/2023	H	Enrolled (in recess of) 06/29/2023 HJ 17

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 83

Senate Committee: EWMA

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

- amendment # 10665 ___ - amendment # _____

- amendment # 11365 ___ - amendment # _____

Executive Session Sheet

Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

as amended by the senate ___ as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Tricia Meullo
Committee Aide

7/26/23
Date

Senate Clerk's Office AK