

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

George Maglaras, Robert J. Watson, and Deanna Rollo

Plaintiffs,

v.

David M. Scanlan, in his official capacity as the Acting New Hampshire Secretary of State, and
John M. Formella, in his official capacity as the New Hampshire Attorney General,

Defendants.

Case No. 217-2024-CV-00247

VERIFIED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

INTRODUCTION

1. Pursuant to the New Hampshire Constitution, the legislature must reapportion (or redistrict) elective districts once every ten years, following the decennial census. In Re Below, 151 N.H. 135 (2004). “Once the legislature has enacted a valid apportionment law, no future act may be passed by [it] until after the next regular apportionment period prescribed by the Constitution.” Id. at 137 (quotations omitted). “Limitations on the frequency of reapportionment are justified by the need for stability and continuity in the organization of the legislative system.” Reynolds v. Sims, 377 U.S. 533, 583 (1964); Below, 151 N.H. at 148 (quoting Reynolds). “[O]nce the legislature has fulfilled its constitutional obligation to reapportion based upon the decennial census figures, it has no constitutional authority to make another apportionment until after the next federal census.” Below, 151 N.H. at 148.

2. In 2022, the New Hampshire legislature enacted HB 54 which reapportioned county commissioner districts based upon the 2020 federal census. In Strafford County, HB 54 created a single county wide district in which the three county commissioners were elected at large. In the

2022 election that followed, Commissioners George Maglaras, Robert Watson, and Deanna Rollo were elected. All three Commissioners are Democrats.

3. In 2023, the legislature enacted HB 75 which reapportioned the Strafford County commissioner districts to create three single member districts starting with the 2024 election. As a result, Commissioners Maglaras and Rollo were packed into the same district requiring them to enter the Democratic primary against one another.

4. However, because the legislature may reapportion or redistrict an elective district only once after the decennial census, it had no authority to enact HB 75. Below 151 N.H. at 137, 148. Accordingly, HB 75 must be enjoined under Part I, Articles 11 and 15 of the New Hampshire Constitution.

PARTIES

5. Plaintiff George Maglaras is a Strafford County Commissioner, whose office is located at 259 County Farm Road, Suite 204, Dover, N.H. 03820. Commissioner Maglaras is the Chairman elected under RSA 28:1.

6. Plaintiff Robert J. Watson is a Strafford County Commissioner, whose office is located at 259 County Farm Road, Suite 204, Dover, N.H. 03820.

7. Plaintiff Deanna Rollo is a Strafford County Commissioner, whose office is located at 259 County Farm Road, Suite 204, Dover, N.H. 03820. Commissioner Rollo is the Clerk elected under RSA 28:1.

8. Defendant David M. Scanlan is the New Hampshire Secretary of State, whose office is located at 25 Capitol Street, Concord, N.H. 03301, and who is sued in his official capacity. The secretary of state is the chief elections officer for New Hampshire, charged with administering its election laws. RSA 652:23 (2010). The secretary, personally and through the conduct of his

agents, servants, and employees, has acted and will act under color of state law at all times relevant to this action.

9. Defendant John Formella is the New Hampshire Attorney General, whose office is located at 1 Granite Place South, Concord, New Hampshire 03301, and who is sued in his official capacity. The attorney general enforces the state's election laws. RSA 7:6-c, I (2015). The attorney general, personally and through the conduct of his agents, servants, and employees, has acted and will act under color of state law at all times relevant to this action.

JURISDICTION AND VENUE

10. As the court of general jurisdiction in New Hampshire, this Court has subject-matter jurisdiction over this complaint and jurisdiction to grant both declaratory and equitable relief. RSA 491:7; RSA 491:22, II; RSA 498:1.

11. The Superior Court has authority to issue temporary restraining orders and injunctive relief. Superior Court Rule 48 (Injunctions). Venue is proper in Merrimack County because the Defendants are state actors located in Concord, New Hampshire. RSA 507:9.

FACTS

12. In New Hampshire, counties are created by statute. See RSA Title II: Counties.

13. The state is divided into 10 counties: Rockingham, Strafford, Belknap, Carroll, Merrimack, Hillsborough, Cheshire, Sullivan, Grafton and Coos. RSA 22:1.

14. County commissioner is a statutory office whose duties and responsibilities are generally defined by RSA Chapter 28.

15. The county commissioners of each county choose from their number a chairman and a clerk. RSA 28:1.

16. All rights, authority and powers of the county commissioners are exercised by a vote of a majority of the county commissioners. RSA 28:1-b.

17. Each county has 3 county commissioners. See RSA 662:4.

18. County commissioners are elected at state general elections which take place every even numbered year. See RSA 652:4, 653:1.

19. In Strafford County, county commissioners are elected for a 2-year term. RSA 653:1, VI(c). Since 1865, Strafford County Commissioners have been enacted at large.

20. Three provisions of the New Hampshire Constitution specifically address the legislature's power to reapportion elective districts: Part II, Articles 9, 11, and 26. In Re Below, 151 N.H. 135, 139 (2004).

21. Part II, Articles 9, 11, and 26 were amended in 1964 to conform with the United States Constitution's requirement that legislative districts must be apportioned on the basis of population. Id. at 144-45.

22. Part II, Articles 9 and 11 concern legislative authority to apportion the House of Representatives and Part II, Article 26 concerns its authority to apportion the Senate. Id. at 26.

23. Part II, Article 9 provides: "There shall be in the legislature of this state a house of representatives, biennially elected and founded on principles of equality, and representation therein shall be as equal as circumstances will admit. The whole number of representatives to be chosen from the towns, wards, places, and representative districts thereof established hereunder, shall be not less than three hundred seventy-five or more than four hundred. **As soon as possible after the convening of the next regular session of the legislature, and at the session in 1971, and every ten years thereafter, the legislature shall make an apportionment of representatives according to the last general census of the inhabitants of the state taken by authority of the**

United States or of this state. In making such apportionment, no town, ward or place shall be divided nor the boundaries thereof altered.” (emphasis added).

24. Part II, Article 11, entitled “Small Towns; Representation by Districts,” provides: “When the population of any town or ward, according to the last federal census, is within a reasonable deviation from the ideal population for one or more representative seats, the town or ward shall have its own district of one or more representative seats. The apportionment shall not deny any other town or ward membership in one non-floterial representative district. When any town, ward, or unincorporated place has fewer than the number of inhabitants necessary to entitle it to one representative, the legislature shall form those towns, wards, or unincorporated places into representative districts which contain a sufficient number of inhabitants to entitle each district so formed to one or more representatives for the entire district. In forming the districts, the boundaries of towns, wards, and unincorporated places shall be preserved and contiguous. The excess number of inhabitants of a district may be added to the excess number of inhabitants of other districts to form at-large or floterial districts conforming to acceptable deviations. **The legislature shall form the representative districts at the regular session following every decennial federal census.**” (emphasis added).

25. Part II, Article 26 provides: “And that the state may be equally represented in the senate, the legislature shall divide the state into single member districts, as nearly equal as may be in population, each consisting of contiguous towns, city wards and unincorporated places, without dividing any town, city ward or unincorporated place. **The legislature shall form the single member districts at its next session after approval of this article by the voters of the state and thereafter at the regular session following each decennial federal census.**” (emphasis added).

26. “The policy and practice in New Hampshire has been to create legislative districts once every ten years based upon the federal census.” Below, 151 N.H. at 145.

27. “This policy and practice began in 1876, when, for the first time, population became the basis apportioning the house.” Id.

28. “Decennial reapportionment became a constitutional mandate in 1942, when Part II, Article 9 was amended to state: ‘At the next session of the legislature, and at the session in 1951, and every ten years thereafter, the legislature shall make an apportionment of representatives according to the last general census of the inhabitants of the state taken by the authority of the United States or of this state.’” Id. (citing N.H. CONST. pt II, art. 9 (amended 1964)).

29. “This language makes clear the intent that the legislature reapportion *once* in a ten year period.” Id. at 146. (emphasis in original).

30. The legislature has reapportioned in 1943, again in 1951 (following the 1950 census), and every ten years after the last decennial federal census. Id.

31. “As soon as the legislature has fulfilled its constitutional duty to reapportion once based upon its last federal census, it may not reapportion again until the *next* federal census.” Id. (emphasis in original).

32. Although the language used in Part II, Articles 11 and 26 “differs slightly from that in Article 9, the import is the same—the legislature must reapportion **once** every ten years, following each federal census.” Id. (emphasis added).

33. “Limitations on the frequency of reapportionment are justified by the need for stability and continuity in the organization of the legislative system.” Reynolds v. Sims, 377 U.S. 533, 583 (1964); Below, 151 N.H. at 148 (quoting Reynolds).

34. “[O]nce the legislature has fulfilled its constitutional obligation to reapportion based upon the decennial census figures, it has no constitutional authority to make another apportionment until after the next federal census.” Below, 151 N.H. at 148.

35. Part II, Articles 9, 11 and 26 require reapportionment of the House and Senate once every ten years, following each federal census. As part of reapportionment, the legislature’s “policy and practice” is to also require reapportionment of county commissioner districts once every ten years, following each federal census.

36. Since the 1964 amendments to Part II, Articles 9, 11, and 26, county commissioner districts were reapportioned **once** every ten years along with the House, Senate, and Executive Council as follows:

- 1971. *See N.H.H.R. Jour.* 1798 (July 1, 1971)
- 1983. *See N.H.H.R. Jour.* 665 (May 24, 1983); *N.H.H.R. Jour.* 758 (June 6, 1983); *N.H.H.R. Jour.* 828 (June 16, 1983)
- 1992. *See N.H.H.R. Jour.* 955 (Apr. 16, 1992)
- 2002. *See N.H.H.R. Jour.* 468 (Mar. 6, 2002); *N.H.H.R. Jour.* 825 (Apr. 25, 2002)
- 2012. *See N.H.H.R. Jour.* 1291 (Apr. 11, 2012)

37. In 2022, the New Hampshire legislature passed reapportionment bills for the House, the Senate, the Executive Council, delegates to state party conventions, and county commissioner districts.¹

38. On February 24, 2022, the legislature approved House Bill 54 (“HB 54”) “AN ACT apportioning county commissioner districts.” See Ex. 1 (HB 54 – FINAL VERSION”).

39. HB 54 was prepared by the Special Committee on Redistricting. Id.

40. According to HB 54, “[t]his bill establishes new county commissioner districts in accordance with the latest federal decennial census.” Id.

¹ HB 52, apportioning congressional districts, was passed by the legislature, but vetoed by the Governor. The New Hampshire Supreme Court reapportioned the districts. See Norelli v. Secretary of State, 175 N.H. 186 (2022).

41. County commissioner districts are defined in RSA 662:4.
42. HB 54 repealed and reenacted RSA 662:4 in accordance with the latest federal decennial census.
43. HB 54 divided the following counties into three districts: Belknap, Carroll, Cheshire, Coos, Grafton, Hillsborough, Merrimack, Rockingham, and Sullivan. Ex. 1.
44. HB 54 did not divide Strafford County into three districts. Id.
45. Under HB 54, the “3 county commissioners [in Strafford County] shall be elected at large.” Id.
46. HB was signed by the Governor and became effective on February 24, 2022.
47. On November 8, 2022, Commissioners Maglaras, Watson, and Rollo were elected Strafford County Commissioners. The results were as follows:
 - Maglaras (Democrat) 29,970
 - Rollo (Democrat) 28,832
 - Watson (Democrat) 28,569
 - DeLemus (Republican) 21,183
 - Cullen (Republican) 20,710
 - Otterson (Republican) 19,533

See <https://www.sos.nh.gov/sites/g/files/ehbemt561/files/inline-documents/sonh/2022-ge-strafford-county-remediated.pdf> at p. 2.

48. In the 2023 legislative session, House Bill 75 (“HB 75”) was introduced by the Committee for Municipal and County Government. See Ex 2 (Legislative Committee Minutes HB 75).

49. As introduced, the bill did not address redistricting of the Strafford County commissioner districts. Rather the bill “increases the minimum value threshold of county personal property subject to competitive bidding.” Id. (HB 75 – As Introduced).

50. In the Senate, the bill was referred to the Election Law and Municipal Affairs Committee. There, it was amended to “change[] how county commissioners are elected in Strafford County and sets the county commissioner districts in Strafford County.” Id. (HB 75 – As Amended by the Senate).

51. HB 75 passed the Senate with amendment. The bill was referred to a committee of conference and passed by both the House and the Senate.

52. The final version, as passed, redistricts Strafford County into three county commissioner districts as follows:

- District 1, the towns of Farmington, Middleton, Milton, New Durham, wards 1, 5, and 6, of the city of Rochester, and wards 1, 2, 3, 4, and 5 of the city of Somersworth;
- District 2, wards 1, 2, 3, and 4 of the city of Dover, and the towns of Durham, Lee, and Rollinsford; and
- District 3, Barrington, wards 5 and 6 of the city of Dover, Madbury, wards 2, 3, and 4 of the city of Rochester, and the town of Strafford.

See Ex. 3 (HB 75 – Final Version).

53. HB 75 was signed by the Governor on August 4, 2023 and became effective on October 3, 2023.

54. HB 75 redistricts Commissioner Maglaras and Commissioner Rollo into a newly created District 2. As a result, two current Commissioners will be forced into the Democratic primary against one another.

55. The filing period to appear on the primary ballot runs from June 4, 2024 to June 14, 2024.

CAUSES OF ACTION

COUNT ONE

(Violation of New Hampshire Constitution, pt. I, art. 11 – Election and Election Franchises)

56. Plaintiffs reallege and incorporate by reference all other paragraphs of this complaint as though fully set forth herein.

57. HB 75 violates Part I, Article 11 of the New Hampshire Constitution which states, in relevant part: “All elections are to be free, and every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election Every inhabitant of the state, having the proper qualifications, has equal right to be elected into office.”

58. Since at least 1971, the “policy and practice” of the New Hampshire legislature has been to redistrict county commissioner districts **once** every ten years, following each federal census. This “policy and practice” comports with the one person/one vote requirements of the United States Constitution, see Baker v. Carr, 369 U.S. 186 (1962), and Part II, Articles 9, 11, and 26 of the New Hampshire Constitution requiring reapportionment of House and Senate districts **once** every ten years. Such “[l]imitations on the frequency of reapportionment are justified by the need for stability and continuity in the organization of the legislative system.” Reynolds v. Sims, 377 U.S. 533, 583 (1964); Below, 151 N.H. at 148 (quoting Reynolds). “[O]nce the legislature has fulfilled its constitutional obligation to reapportion based upon the decennial census figures, it has no constitutional authority to make another apportionment until after the next federal census.” Below, 151 N.H. at 148.

59. In 2022, after the 2020 decennial census, the legislature passed HB 54 which “establishe[d] new county commissioner districts in accordance with the latest federal decennial census.” HB 54 redistricted the Strafford County commissioner district into one district in which its members were elected at large. By passing HB 54, the legislature fulfilled its constitutional obligation to reapportion bases upon the decennial census figures and, therefore, had no authority to reapportion or redistrict until after the next federal census.

60. Nevertheless, HB 75 reapportioned the Strafford County commissioner districts to create three single member districts starting with the 2024 election.

61. As a result of this unlawful reapportionment, voters and elected officials cannot rely on “the stability and continuity in the organization of the legislative system” required by the United States and New Hampshire Constitutions.

62. Moreover, as a result of this unlawful reapportionment, two current County Commissioners will be forced into a 2024 primary against one another after being duly elected to constitutionally created at large seats in 2022.

63. Because HB 75 redistricted the Strafford County commissioner districts for a second time after the decennial census, HB 75 violates the provisions of Part I, Article 11 that “[a]ll elections are to be free”, the “equal right to vote”, and the “equal right to be elected into office.”

64. Because HB 75 violates Part I, Article 11, the law’s implementation and enforcement should be enjoined.

COUNT II

(Violation of New Hampshire Constitution, pt. I, art. 15 – Due Process)

65. Plaintiffs reallege and incorporate by reference all other paragraphs of this complaint as though fully set forth herein.

66. HB 75 violates the due process clause of the New Hampshire Constitution which provides that “[n]o subject shall be ... deprived of his property, immunities, or privileges, put out of the protection of the law, exiled or deprived of his life, liberty, or estate, but by the judgment of his peers, or the law of the land.” N.H. Const. pt. I, art. 15. The “law of the land” means “due process.” State v. Veale, 158 N.H. 632, 636 (2009).

67. In addressing a due-process challenge, a court “[f]irst ... determine[s] whether the challenged procedures concern a legally protected interest,” and “[s]econd ... determine[s] whether the procedures afford the requisite safeguards.” Petition of Bagley, 128 N.H. 275, 282-283 (1986). The court next balances “(1) the private interest affected by the official action; (2) the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards; and (3) the government’s interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirements would entail.” Id. at 285.

68. Since at least 1971, the “policy and practice” of the New Hampshire legislature has been to redistrict county commissioner **once** districts every ten years, following each federal census. This “policy and practice” comports with the one person/one vote requirements of the United States Constitution, see Baker v. Carr, 369 U.S. 186 (1962), and Part II, Articles 9, 11, and 26 of the New Hampshire Constitution requiring reapportionment of House and Senate districts **once** every ten years. “Limitations on the frequency of reapportionment are justified by the need for stability and continuity in the organization of the legislative system.” Reynolds v. Sims, 377

U.S. 533, 583 (1964); Below, 151 N.H. at 148 (quoting Reynolds). “[O]nce the legislature has fulfilled its constitutional obligation to reapportion based upon the decennial census figures, it has no constitutional authority to make another apportionment until after the next federal census.” Below, 151 N.H. at 148.

69. In 2022, after the 2020 decennial census, the legislature passed HB 54 which “establishe[d] new county commissioner districts in accordance with the latest federal decennial census.” HB 54 reapportioned the Strafford County commissioner district into one district in which its members were elected at large. By passing HB 54, the legislature fulfilled its constitutional obligation to reapportion based upon the decennial census figures and, therefore, had no authority to make reapportion or redistrict until after the next federal census.

70. Nevertheless, HB 75 reapportioned the Strafford County commissioner districts to create three single member districts starting with the 2024 election.

71. As a result of this unlawful reapportionment, voters and elected officials cannot rely on “the stability and continuity in the organization of the legislative system” required by the United States and New Hampshire Constitutions.

72. Moreover, as a result of this unlawful reapportionment, two current County Commissioners will be forced into a 2024 primary against one another after being duly elected to constitutionally created at large seats in 2022.

73. Because HB 75 redistricted the Strafford County commissioner districts for a second time after the decennial census, HB 75 violates the due process clause of the New Hampshire Constitution and must be enjoined.

74. The state has no countervailing interest that could justify this violation of the legislature's constitutional obligation to reapportion once every ten years, following the decennial census.

75. Because HB 75 violates the New Hampshire Constitution's guarantee of due process, the law's implementation and enforcement should be enjoined.

PRAYERS FOR RELIEF

Plaintiffs respectfully request that this Honorable Court:

- a. Declare that HB 75 violates the New Hampshire Constitution;
- b. Permanently enjoin each defendant and his or her agents, officers, employees, successors, and all persons acting in concert with each or any of them from implementing, enforcing, or giving effect to HB 75;
- c. Award plaintiffs their costs, disbursements, and reasonable attorney's fees incurred in bringing this action, pursuant to the Court's inherent equitable power, see Claremont Sch. Dist. v. Governor, 144 N.H. 590, 595 (1999); and
- d. Award such other relief as the Court deems just and proper.

Respectfully submitted,

George Maglaras
Robert J. Watson
Deanna Rollo

By Their Attorneys:
SHAHEEN & GORDON, P.A.

Dated: April 15, 2024

/s/ William E. Christie
William E. Christie, #11255
107 Storrs Street/P.O. Box 2703
Concord, NH 03302-2703
(603) 225-7262
wchristie@shaheengordon.com

VERIFICATION

I, George Maglaras, hereby affirm and verify that the facts alleged herein are true and accurate to the best of my knowledge and belief.

Dated: 4-15-24



George Maglaras
Strafford County Commissioner

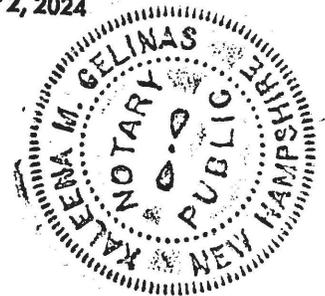
STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD

Subscribed and sworn to before me on April 15, 2024.



Justice of the Peace/Notary Public
My Commission Expires: 10/02/2024

KALEENA M. GELINAS
Notary Public - New Hampshire
My Commission Expires October 2, 2024



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CHAPTER 4
HB 54 - FINAL VERSION



5Jan2022... 2273h

2022 SESSION

21-0632
11/08HOUSE BILL **54**

AN ACT apportioning county commissioner districts.

SPONSORS: Rep. B. Griffin, Hills. 6

COMMITTEE: Special Committee on Redistricting

ANALYSIS

This bill establishes new county commissioner districts in accordance with the latest federal decennial census.

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.

5Jan2022... 2273h 21-0632
11/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT apportioning county commissioner districts.

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

4:1 County Commissioner Districts. RSA 662:4 is repealed and reenacted to read as follows:

662:4 County Commissioner Districts. Except for Strafford county where 3 county commissioners shall be elected at large, for the purposes of choosing county commissioners, the counties shall be divided into districts as follows:

I. Belknap: District 1, the towns of Center Harbor and Meredith and the city of Laconia, Wards 1, 3, 4, 5, and 6; District 2, the towns of Belmont, Gilmanton, New Hampton, Sanbornton, and Tilton; District 3, the towns of Alton, Barnstead, and Gilford and the city of Laconia, Ward 2.

II. Carroll: District 1, the towns of Albany, Bartlett, Chatham, Conway, Hart's Location, Jackson, and Sandwich, and the unincorporated place of Hale's Location; District 2, the towns of Madison, Moultonborough, Ossipee, Tamworth, and Tuftonboro; District 3, the towns of Brookfield, Eaton, Effingham, Freedom, Wakefield, and Wolfeboro.

III. Cheshire: District 1, the towns of Chesterfield, Fitzwilliam, Hinsdale, Richmond, Swanzey, Troy, and Winchester; District 2, the towns of Marlborough and Roxbury and the city of Keene; District 3, the towns of Alstead, Dublin, Gilsum, Harrisville, Jaffrey, Marlow, Nelson, Rindge, Stoddard, Sullivan, Surry, Walpole, and Westmoreland.

IV. Coos: District 1, the city of Berlin and the town of Milan; District 2, the unincorporated place of Kilkenny and the towns of Dalton, Jefferson, Lancaster, Northumberland, Randolph and Whitefield; District 3, the unincorporated places of Atkinson and Gilmanton Academy Grant, Bean's Grant, Bean's Purchase, Cambridge, Chandler's Purchase, Crawford's Purchase, Cutt's Grant, Dix's Grant, Dixville, Erving's Location, Green's Grant, Hadley's Purchase, Low and Burbank's Grant, Martin's Location, Odell, Pinkham's Grant, Sargent's Purchase, Second College Grant, Success, and Thompson and Meserve's Purchase, and the towns of Carroll, Clarksville, Colebrook, Columbia, Dummer, Errol, Gorham, Millsfield, Pittsburg, Shelburne, Stark, Stewartstown, Stratford, and Wentworth's Location.

V. Grafton: District 1, the towns of Enfield and Hanover and the city of Lebanon; District 2, the unincorporated place of Livermore and the towns of Bath, Benton, Bethlehem, Easton, Franconia, Haverhill, Landaff, Lincoln, Lisbon, Littleton, Lyman, Lyme, Monroe, Orford, Piermont, Sugar Hill, Thornton, Waterville Valley, and Woodstock; District 3, the towns of Alexandria, Ashland, Bridgewater, Bristol, Campton, Canaan, Dorchester, Ellsworth, Grafton, Groton, Hebron, Holderness, Orange, Plymouth, Rumney, Warren, and Wentworth.

VI. Hillsborough: District 1, the towns of Bedford and New Boston and the city of Manchester; District 2, the towns of Hudson, Litchfield, and Pelham and the city of Nashua; District 3, the towns of Amherst, Antrim, Bennington, Brookline, Deering, Frankestown, Goffstown, Greenfield, Greenville, Hancock, Hillsborough, Hollis, Lyndeborough, Mason, Merrimack, Milford, Mont Vernon, New Ipswich, Peterborough, Sharon, Temple, Weare, Wilton, and Windsor.

VII. Merrimack: District 1, the town of Bow and the city of Concord; District 2 the towns of Andover, Boscawen, Bradford, Canterbury, Chichester, Danbury, Hill, Loudon, New London, Newbury, Northfield, Salisbury, Sutton, Warner, Webster, and Wilmot, and the city of Franklin; District 3, the towns of Allenstown, Dunbarton, Epsom, Henniker, Hooksett, Hopkinton, Pembroke, Pittsfield.

VIII. Rockingham: District 1, the towns of Epping, Exeter, Greenland, Hampton, Hampton Falls, Kensington, New Castle, Newfields, Newington, Newmarket, North Hampton, Rye, and Stratham and the city of Portsmouth; District 2, the towns of Atkinson, Derry, Newton, Plaistow, Salem, Seabrook, South Hampton, and Windham; District 3, the towns of Auburn, Brentwood, Candia, Chester, Danville, Deerfield, East Kingston, Fremont, Hampstead, Kingston, Londonderry, Northwood, Nottingham, Raymond, and Sandown.

IX. Sullivan: District 1, the town of Cornish and the city of Claremont; District 2, the towns of Croydon, Grantham, Newport, Plainfield, and Springfield; District 3, the towns of Acworth, Charlestown, Goshen, Langdon, Lempster, Sunapee, Unity, and Washington.

4:2 Application. No provision of this act shall be construed as affecting the constituencies or terms of office of county commissioners presently in office. If there shall be a vacancy in a county commissioner district for any reason prior to the 2022 state general election, the vacancy shall be filled under the terms of RSA 661:9 from the same county commissioner district that existed for the 2020 state general election. The nomination and election of county commissioners at the 2022 state general election shall be by districts as provided in this act.

4:3 Effective Date. This act shall take effect upon its passage.

Approved: February 24, 2022

Effective Date: February 24, 2022

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LEGISLATIVE COMMITTEE MINUTES

HB75

RETRIEVED FROM DEMOCRACYDOCKET.COM

Bill as Introduced

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HB 75 - AS INTRODUCED

2023 SESSION

23-0179

02/04

HOUSE BILL **75**

AN ACT to increase the threshold of county owned personal property subject to competitive bidding.

SPONSORS: Rep. Aron, Sull. 4; Rep. Rollins, Sull. 3; Rep. Stapleton, Sull. 6; Rep. Guthrie, Rock. 15; Rep. Potucek, Rock. 13; Rep. Cloutier, Sull. 6

COMMITTEE: Municipal and County Government

ANALYSIS

This bill increases the minimum value threshold of county personal property subject to competitive bidding.

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.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT to increase the threshold of county owned personal property subject to competitive bidding.

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

1 1 County Commissioners; Competitive Bidding on Sales of Personal Property. Amend RSA 28:8-
2 a to read as follows:

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

8 2 Effective Date. This act shall take effect 60 days after its passage.

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HB 75 - AS AMENDED BY THE SENATE

05/11/2023 1741s

2023 SESSION

23-0179

02/04

HOUSE BILL **75**

AN ACT relative to the election of Strafford county commissioners.

SPONSORS: Rep. Aron, Sull. 4; Rep. Rollins, Sull. 3; Rep. Stapleton, Sull. 6; Rep. Guthrie, Rock. 15; Rep. Potucek, Rock. 13; Rep. Cloutier, Sull. 6

COMMITTEE: Municipal and County Government

AMENDED ANALYSIS

This bill changes how county commissioners are elected in Strafford county and sets the county commissioner districts in Strafford county.

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.

RETRIEVED FROM DEMOCRACY DOCKET.COM

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the election of Strafford county commissioners.

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

1 1 Strafford County; Elected for 2-Year Term; County Commissioner Districts. Amend RSA
2 653:1, VI(c) to read as follows:

3 (c) Strafford county-~~[3 county commissioners by all the voters of the county]~~ **one county**
4 **commissioner by the voters in each county commissioner district;**

5 2 Strafford County; County Commissioner Districts. Amend the introductory paragraph of RSA
6 662:4 to read as follows:

7 662:4 County Commissioner Districts. ~~[Except for Strafford county where 3 county~~
8 ~~commissioners shall be elected at large,]~~ For the purposes of choosing county commissioners, the
9 counties shall be divided into districts as follows:

10 3 Strafford County; County Commissioner Districts. Amend RSA 662:4, IX to read as follows:

11 IX. ***Strafford: District 1, the towns of Farmington, Middleton, Milton, New Durham,***
12 ***wards 1, 5, and 6, of the city of Rochester, and wards 1, 2, 3, 4, and 5 of the city of***
13 ***Somersworth; District 2, wards 1, 2, 3, and 4 of the city of Dover, and the towns of Durham,***
14 ***Lee, and Rollinsford; District 3, Barrington, wards 5 and 6 of the city of Dover, Madbury,***
15 ***wards 2, 3, and 4 of the city of Rochester, and the town of Strafford.***

16 X. Sullivan: District 1, the town of Cornish and the city of Claremont; District 2, the towns
17 of Croydon, Grantham, Newport, Plainfield, and Springfield; District 3, the towns of Acworth,
18 Charlestown, Goshen, Langdon, Lempster, Sunapee, Unity, and Washington.

19 4 Application; Strafford County. The changes in Strafford County commissioner districts
20 established by this act shall not affect constituencies or terms of office of commissioners presently in
21 office. The commissioner districts established by this act shall be in effect for the purpose of electing
22 commissioners at the 2024 state general election. If there shall be a vacancy in a commissioner
23 district for any reason prior to the 2024 state general election, the vacancy shall be filled as provided
24 in law for Strafford County commissioners that existed for the 2022 state general election.

25 5 Effective Date. This act shall take effect 60 days after its passage.

HB 75 - VERSION ADOPTED BY BOTH BODIES

05/11/2023 1741s
29Jun2023... 2229CofC

2023 SESSION

23-0179
02/04

HOUSE BILL **75**

AN ACT relative to the election of Strafford county commissioners.

SPONSORS: Rep. Aron, Sull. 4; Rep. Rollins, Sull. 3; Rep. Stapleton, Sull. 6; Rep. Guthrie, Rock. 15; Rep. Potucek, Rock. 13; Rep. Cloutier, Sull. 6

COMMITTEE: Municipal and County Government

AMENDED ANALYSIS

This bill changes how county commissioners are elected in Strafford county and sets the county commissioner districts in Strafford county.

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.

RETRIEVED FROM DEMOCRACYDOCKET.COM

HB 75 - VERSION ADOPTED BY BOTH BODIES

05/11/2023 1741s
29Jun2023... 2229CofC

23-0179
02/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the election of Strafford county commissioners.

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

1 1 Strafford County; Elected for 2-Year Term; County Commissioner Districts. Amend RSA
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4 ***commissioner by the voters in each county commissioner district;***

5 2 Strafford County; County Commissioner Districts. Amend the introductory paragraph of RSA
6 662:4 to read as follows:

7 662:4 County Commissioner Districts. ~~[Except for Strafford county where 3 county~~
8 ~~commissioners shall be elected at large,]~~ For the purposes of choosing county commissioners, the
9 counties shall be divided into districts as follows:

10 3 Strafford County; County Commissioner Districts. Amend RSA 662:4, IX to read as follows:

11 IX. ***Strafford: District 1, the towns of Farmington, Middleton, Milton, New Durham,***
12 ***wards 1, 5, and 6, of the city of Rochester, and wards 1, 2, 3, 4, and 5 of the city of***
13 ***Somersworth; District 2, wards 1, 2, 3, and 4 of the city of Dover, and the towns of Durham,***
14 ***Lee, and Rollinsford; District 3, Barrington, wards 5 and 6 of the city of Dover, Madbury,***
15 ***wards 2, 3, and 4 of the city of Rochester, and the town of Strafford.***

16 X. Sullivan: District 1, the town of Cornish and the city of Claremont; District 2, the towns
17 of Croydon, Grantham, Newport, Plainfield, and Springfield; District 3, the towns of Acworth,
18 Charlestown, Goshen, Langdon, Lempster, Sunapee, Unity, and Washington.

19 4 Application; Strafford County. The changes in Strafford County commissioner districts
20 established by this act shall not affect constituencies or terms of office of commissioners presently in
21 office. The commissioner districts established by this act shall be in effect for the purpose of electing
22 commissioners at the 2024 state general election. If there shall be a vacancy in a commissioner
23 district for any reason prior to the 2024 state general election, the vacancy shall be filled as provided
24 in law for Strafford County commissioners that existed for the 2022 state general election.

25 5 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 177
HB 75 - FINAL VERSION

05/11/2023 1741s
29Jun2023... 2229CofC

2023 SESSION

23-0179
02/04

HOUSE BILL **75**

AN ACT relative to the election of Strafford county commissioners.

SPONSORS: Rep. Aron, Sull. 4; Rep. Rollins, Sull. 3; Rep. Stapleton, Sull. 6; Rep. Guthrie, Rock. 15; Rep. Potucek, Rock. 13; Rep. Cloutier, Sull. 6

COMMITTEE: Municipal and County Government

AMENDED ANALYSIS

This bill changes how county commissioners are elected in Strafford county and sets the county commissioner districts in Strafford county.

Explanation: Matter added to current law appears in **bold italics**.
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RETRIEVED FROM DEMOCRACYDOCK.COM

CHAPTER 177
HB 75 - FINAL VERSION

05/11/2023 1741s
29Jun2023... 2229CofC

23-0179
02/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the election of Strafford county commissioners.

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

1 177:1 Strafford County; Elected for 2-Year Term; County Commissioner Districts. Amend RSA
2 653:1, VI(c) to read as follows:

3 (c) Strafford county-~~[3 county commissioners by all the voters of the county]~~ **one county**
4 **commissioner by the voters in each county commissioner district;**

5 177:2 Strafford County; County Commissioner Districts. Amend the introductory paragraph of
6 RSA 662:4 to read as follows:

7 662:4 County Commissioner Districts. ~~[Except for Strafford county where 3 county~~
8 ~~commissioners shall be elected at large,]~~ For the purposes of choosing county commissioners, the
9 counties shall be divided into districts as follows:

10 177:3 Strafford County; County Commissioner Districts. Amend RSA 662:4, IX to read as
11 follows:

12 IX. *Strafford: District 1, the towns of Farmington, Middleton, Milton, New Durham,*
13 *wards 1, 5, and 6, of the city of Rochester, and wards 1, 2, 3, 4, and 5 of the city of*
14 *Somersworth; District 2, wards 1, 2, 3, and 4 of the city of Dover, and the towns of Durham,*
15 *Lee, and Rollinsford; District 3, Barrington, wards 5 and 6 of the city of Dover, Madbury,*
16 *wards 2, 3, and 4 of the city of Rochester, and the town of Strafford.*

17 X. Sullivan: District 1, the town of Cornish and the city of Claremont; District 2, the towns
18 of Croydon, Grantham, Newport, Plainfield, and Springfield; District 3, the towns of Acworth,
19 Charlestown, Goshen, Langdon, Lempster, Sunapee, Unity, and Washington.

20 177:4 Application; Strafford County. The changes in Strafford County commissioner districts
21 established by this act shall not affect constituencies or terms of office of commissioners presently in
22 office. The commissioner districts established by this act shall be in effect for the purpose of electing
23 commissioners at the 2024 state general election. If there shall be a vacancy in a commissioner
24 district for any reason prior to the 2024 state general election, the vacancy shall be filled as provided
25 in law for Strafford County commissioners that existed for the 2022 state general election.

177:5 Effective Date. This act shall take effect 60 days after its passage.

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

Amendments

RETRIEVED FROM DEMOCRACYDOCKET.COM

Amendment to HB 75

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the election of Strafford county commissioners.

4

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

6

7 1 Strafford County; Elected for 2-Year Term; County Commissioner Districts. Amend RSA
8 653:1, VI(c) to read as follows:

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20 *Lee, and Rollinsford; District 3, Barrington, wards 5 and 6 of the city of Dover, Madbury,*
21 *wards 2, 3, and 4 of the city of Rochester, and the town of Strafford.*

22 X. Sullivan: District 1, the town of Cornish and the city of Claremont; District 2, the towns
23 of Croydon, Grantham, Newport, Plainfield, and Springfield; District 3, the towns of Acworth,
24 Charlestown, Goshen, Langdon, Lempster, Sunapee, Unity, and Washington.

25 4 Effective Date. ~~This act shall take effect 60 days after its passage.~~

~~Effect.~~

~~at the next gen Election~~
~~Cycle after its passage~~
For the 2024

2023-1552s

AMENDED ANALYSIS

This bill changes how county commissioners are elected in Strafford county and sets the county commissioner districts in Strafford county.

UNAPPROVED

Amendment to HB 75

1 Amend the title of the bill by replacing it with the following:

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4

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20 **Lee, and Rollinsford; District 3, Barrington, wards 5 and 6 of the city of Dover, Madbury,**
21 **wards 2, 3, and 4 of the city of Rochester, and the town of Strafford.**

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23 **of Croydon, Grantham, Newport, Plainfield, and Springfield; District 3, the towns of Acworth,**
24 **Charlestown, Goshen, Langdon, Lempster, Sunapee, Unity, and Washington.**

25 4 Application; Strafford County. The changes in Strafford County commissioner districts
26 established by this act shall not affect constituencies or terms of office of commissioners presently in
27 office. The commissioner districts established by this act shall be in effect for the purpose of electing
28 commissioners at the 2024 state general election. If there shall be a vacancy in a commissioner
29 district for any reason prior to the 2024 state general election, the vacancy shall be filled as provided
30 in law for Strafford County commissioners that existed for the 2022 state general election.

31 5 Effective Date. This act shall take effect 60 days after its passage.

Amendment to HB 75
- Page 2 -

2023-1607s

AMENDED ANALYSIS

This bill changes how county commissioners are elected in Strafford county and sets the county commissioner districts in Strafford county.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Amendment to HB 75

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the election of Strafford county commissioners.

4

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

6

7 1 Strafford County; Elected for 2-Year Term; County Commissioner Districts. Amend RSA
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20 ***Lee, and Rollinsford; District 3, Barrington, wards 5 and 6 of the city of Dover, Madbury,***
21 ***wards 2, 3, and 4 of the city of Rochester, and the town of Strafford.***

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23 of Croydon, Grantham, Newport, Plainfield, and Springfield; District 3, the towns of Acworth,
24 Charlestown, Goshen, Langdon, Lempster, Sunapee, Unity, and Washington.

25 4 Effective Date. This act shall take effect for the 2024 general election cycle.

Amendment to HB 75
- Page 2 -

2023-1630s

AMENDED ANALYSIS

This bill changes how county commissioners are elected in Strafford county and sets the county commissioner districts in Strafford county.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Sen. Gray, Dist 6
May 10, 2023
2023-1741s
02/08

Floor Amendment to HB 75

1 Amend the title of the bill by replacing it with the following:

2

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4

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

6

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19 ***Somersworth; District 2, wards 1, 2, 3, and 4 of the city of Dover, and the towns of Durham,***
20 ***Lee, and Rollinsford; District 3, Barrington, wards 5 and 6 of the city of Dover, Madbury,***
21 ***wards 2, 3, and 4 of the city of Rochester, and the town of Strafford.***

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23 of Croydon, Grantham, Newport, Plainfield, and Springfield; District 3, the towns of Acworth,
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29 district for any reason prior to the 2024 state general election, the vacancy shall be filled as provided
30 in law for Strafford County commissioners that existed for the 2022 state general election.

31 5 Effective Date. This act shall take effect 60 days after its passage.

2023-1741s

AMENDED ANALYSIS

This bill changes how county commissioners are elected in Strafford county and sets the county commissioner districts in Strafford county.

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Committee Minutes

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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 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: April 27, 2023

HEARINGS

Tuesday	05/02/2023
(Day)	(Date)
Election Law and Municipal Affairs	Legislative Office Building 103 10:30 a.m.
(Name of Committee)	(Place) (Time)

10:30 a.m.

EXECUTIVE SESSION ON PENDING LEGISLATION

10:31 a.m.

Hearing on proposed Amendment #1552s, relative to the election of Strafford county commissioners, to **HB 75**, to increase the threshold of county owned personal property subject to competitive bidding.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 75

Rep. Aron
Rep. Potucek

Rep. Rollins
Rep. Cloutier

Rep. Stapleton

Rep. Guthrie

Tricia Melillo 271-3077

James P. Gray
Chairman

Senate Election Law and Municipal Affairs Committee
Tricia Melillo 271-3077

Amendment #1552s to HB 75, to increase the threshold of county owned personal property subject to competitive bidding.

Hearing Date: May 2, 2023

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

Members of the Committee Absent : None

Bill Analysis: This bill changes how county commissioners are elected in Strafford county and sets the county commissioner districts in Strafford county.

Sponsors:

Rep. Aron
Rep. Guthrie

Rep. Rollins
Rep. Potucek

Rep. Stapleton
Rep. Cloutier

Who supports the bill: Rep. Claudine Burnham, Rep. Michael Granger, Rep. James Connor, Rep. Kelley Potenza, Janice Woods, Seamus Casey, John Allard, Carol Petruszewicz, Luci Gardner, Esther Sawyer, Timothy Lafortune

Who opposes the bill: Kate Horgan-NH Association of Counties, Rep. Timothy Horrigan

Summary of testimony presented in support:

Senator James Gray

- HB 270 would have changed the districts in Strafford County to align with the other counties and elect county commissioners by district.
- All of the commissioners that he spoke with said this change would be beneficial to them.
- It will help to ensure that the various portions of the county are well represented.
- The lower portion of Strafford County is the most populous and the northern residents feel set aside.
- On the map that was created the deviation is 4.68% which he believes is exceptionally good.
- He tried moving the districts around to get a better deviation and he could not.
- The yellow district on the map has a deviation of 0.70, the darker blue has a negative 2.08, and the light blue district has a deviation of positive 2.78.
- The lower two districts give the total deviation of 4.86%.
- Originally, he had questions on whether or not they could make this change because of the ten year restrictions on redistricting.
- The Senate Council assured him that it was acceptable to do.
- He believes it is a good idea that will ensure that any particular city in a district had a least one representative that they did elect.
- Senator Soucy asked if HB 270 was retained in the House.
 - Senator Gray replied that, yes it was.
- Senator Soucy questioned if that bill is retained and this will take effect 60 days after its passage what is the sudden urgency to do this.
 - Senator Gray replied that even if HB 270 gets a favorable vote out of the retention, they will already be in the because if this passes then they will already be in the period of the next election cycle when the bill would take effect. It would be possible to do it then but if it can be done sooner it will be better. Many in the House were disappointed that HB 270 went to reconsideration.
- Senator Perkins Kwoka asked if there is a reason they should be revisiting one of the redistricting conversations when they already voted last year.

- Senator Gray replied that there are those that think that Strafford County is better off one way as opposed to another. Since this level of redistricting started in the House, Strafford County has been reconsidered. He consulted with the Senate Legal Counsel before he drafted this amendment and was assured there is no constitutional problem with it. Today is just as good a day as any other to take care of this change.

Rep. Claudine Burnham

- She has lived in Milton for 27 years and is the current Chair of the Milton Select Board.
- Milton and Milton Mills Villages are combined as a small town of 4,482 residents.
- In March of 2020, Milton voters overwhelmingly voted to institute a 2% tax cap in accordance with RSA 32:5.
- Since the 2021 budget they have worked hard to honor that and by reducing their budget, were able to return \$1.4 million through the reduction of their tax rate.
- In 2021 Milton's County tax was \$1,203,364.00, which was about 21% of their operating budget.
- As Milton continued to streamline their 2022 budget, keeping under the 2% tax cap, they were horrified to receive the new county amount of \$1,450,797.00.
- This was an increase of \$247,433 and three times higher than any previous increase.
- They had to scramble to set the tax rate, get it approved by DRA, and issue tax bills hoping that the revenue would flow before the county tax payment deadline.
- This increase hits hard on a small town.
- With further increases proposed by county commissioners, Milton and other small towns will be forced to exceed their tax cap to offset the new amounts.
- It is difficult to set a budget when you do not know how much of an increase will be coming.
- The county does not honor small town tax caps.
- It was only recently when the Select Board raised these concerns that a county commissioner and administrator explained the increases.
- One of their commissioners has been a commissioner for 40 years and she has never met him.
- Redistricting the commissioners position, gives Milton and other small towns in Strafford County an opportunity to have a voice that speaks for them.

Representative Michael Granger

- This amendment is necessary because Strafford County is the only county that is not separated into districts.
- This has been brought up many times with the last time being in 2006.
- The primary reason it did not pass then, was because they were all served by the same newspaper which is not a relevant problem today.
- The biggest problem now is that the county commissioners do not worry about the small towns because there is not enough of a voting base to make an impact on their elections.
- Commissioner Maglaras has been in the same position for forty years and he has just recently been to Milton for the first time in an exceedingly long time.
- In the Strafford County delegation they heard a brief overview of the proposed budget and it was major increases across the board
- When it was pointed out that Milton and Middleton have tax caps, the response from the commissioners was that they did not know that.
- Hillsborough and all the other counties had changed to electing district commissioners instead of at large, before 1980.
- Most of the counties switched during an off year and not during the redistricting years.
- Senator Soucy asked why this was not brought up during redistricting
 - Rep. Granger replied that Rep. Turcotte would know more about that but he believes that redistricting was so time consuming and expansive they did not want to add more work to the pile.
- Senator Soucy asked if he would believe that she attended the redistricting hearing in Strafford County and at that time there was no mention made regarding commissioner districts.

- Rep. Granger replied, okay.

Representative Kelley Potenza

- It is not true that it is only the Republicans in Strafford County that are supporting this and she could give the Committee some names of Democrats if needed.
- She believes this is not really about redistricting, it is about Strafford being different than every other county in NH.
- They are the only county that uses at large voting rather than by districts.
- This system is great for the commissioners but not so good for the people.
- Strafford County is made up of three cities and ten towns.
- In the election of 2022, the cities of Dover, Somersworth and the town of Durham, the leading Democrat vote getter had received 8,929 more votes than the leading Republican.
- By comparison, in Rochester, the leading Republican candidate got 48 more votes than the leading Democrat candidate.
- In the other nine towns the party vote difference was only about 60 votes.
- She believes this clearly shows that Somersworth, Dover and Durham are electing the commissioners.
- That is not representative of the other ten towns and is not fair to the voters.
- Most of the attention at the county level is given to the three cities.
- She questions why there is such a political dominance from one political party among county commissioners.
- The small towns pay more than eleven million which is one-third of the county taxes required to finance the county budget.
- They should have equal representation.
- For the proposed county homeless shelter, Somersworth, Dover and Rochester, were notified and included in the idea and concept.
- After hours of research she could not find anything that showed that the other nine towns were publicly notified.
- The presentation for the proposed \$170 million, which is actually now \$139 million, new county nursing home, was only given to Rochester, Dover, Somersworth and Durham.
- This amendment will require Strafford County to be divided into three districts for the county commissioners race.
- If passed, there will be no more "at large," the small towns will finally get their own county commissioner instead of having one picked for them by the cities

Representative James Connor

- He agreed with the former speakers that the smaller towns do not receive any representation.
- He believes that Dover and Durham elect the county commissioners.
- If they have to have a special election, they will have one.
- The city of Rochester just got done with a special election.
- This will give more people voting power so they have a say in who the commissioners are.
- This is not going to get worked out when there is a 2 to 1 ratio.
- Senator Soucy asked how would they determine which one of the two commissioners would represent the district in a special election if this passes.
 - Rep. Connor replied that it would have to be a countywide special election to see which one of the two commissioners would be elected.
- Senator Soucy asked if he means there would be two elections, a countywide election for one district and a special election for one.
 - Rep. Connor replied that there would only be one special election.
- Senator Soucy commented that she does not understand how they would move forward given how the lines are drawn in the amendment.
 - Rep. Connor replied that they both would have to run and the voters would choose who they want.

Summary of testimony presented in opposition:

Rep. Timothy Horrigan

- This amendment would put Durham in a district with part of Dover and the towns of Durham, Lee and Rollinsford.
- He is concerned that it is not a contiguous district as required.
- If the goal is to make a district with all of the small towns together this does not do that.
- Every one of these districts has part of Dover or Rochester in it.
- He does not think this change is needed and the county should stay as is.
- The only support for this in the House Committee hearing was from certain small towns.
- The town of Milton is only 4,000 people out of over 100,000 in the county.
- He believes the 2% tax cap is much more aggressive than the cities tax caps and they have always honored them.
- This issue should have been taken up a year ago when they did redistricting.
- There is concern on the House side that it is not legal to do this now.
- Making this change was never brought up by the Republicans last year and it is all Republicans who are in favor of it.
- It was never brought up in advance of the hearing on HB270.
- The cities do get a disproportionate amount of the county services but they have a disproportionate share of the income.
- He feels this has been sprung on the other towns and cities in the county fairly abruptly.
- If this bill passes there will be two incumbents in one district and a third incumbent in a district that would be open .
- He believes this will create an awkward situation especially because this takes effect 60 days after passage.
- They would have to decide what happens to the two commissioners who are now in the same district.

Kate Horgan – NH Association of Counties

- The purpose of retaining this in committee was to allow the county commissioners and the county delegation the time to work through any issues, find common ground and potentially move forward with a bill next year.
- The Association asks that the Senate allow that process to happen.
- There are other counties that elect district wide.
- They have districts but every voter, votes for every county commissioner.
- Sullivan and Carroll Counties elect their commissioners county wide.
- It is not uncommon for a county office to be elected county wide.
- The offices of Deeds, Sheriff, Treasurer, Probate and County Attorney are all elected county wide.
- Strafford County is the smallest county and takes only thirty minutes to drive across it.
- The counties do not have a standardized way of electing their officers.
- Some counties have districts, some vote at large by district, some vote only for the commissioner in their district and others have a floating four year term that exists.
- Counties pick what works best for them which requires collaborating with the delegation members, the public and with the county commissioners.
- She believes that if this goes into effect within sixty days, they have to have a special election.
- For the past eleven years the tax in Milton has gone up less than two percent.

Senate Election Law and Municipal Affairs Committee
Tricia Melillo 271-3077

Amendment #1552s to HB 75, to increase the threshold of county owned personal property subject to competitive bidding.

Hearing Date: May 2, 2023

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

Members of the Committee Absent : None

Bill Analysis: This bill changes how county commissioners are elected in Strafford county and sets the county commissioner districts in Strafford county.

Sponsors:

Rep. Aron

Rep. Rollins

Rep. Stapleton

Rep. Guthrie

Rep. Potucek

Rep. Cloutier

Who supports the bill: Rep. Claudine Burnham, Rep. Michael Granger, Rep. James Connor, Rep. Kelley Potenza, Janice Woods, Seamus Casey, John Allard, Carol Petruszewicz, Luci Gardner, Esther Sawyer, Timothy Lafortune

Who opposes the bill: Kate Horgan-NH Association of Counties, Rep. Timothy Horrigan

Summary of testimony presented in support:

Senator James Gray

- HB 270 would have changed the districts in Strafford County to align with the other counties and elect county commissioners by district.
- All of the commissioners that he spoke with said this change would be beneficial to them.
- It will help to ensure that the various portions of the county are well represented.
- The lower portion of Strafford County is the most populous and the northern residents feel set aside.
- On the map that was created the deviation is 4.68% which he believes is exceptionally good.
- He tried moving the districts around to get a better deviation and he could not.
- The yellow district on the map has a deviation of 0.70, the darker blue has a negative 2.08, and the light blue district has a deviation of positive 2.78.
- The lower two districts give the total deviation of 4.86%.
- Originally, he had questions on whether or not they could make this change because of the ten year restrictions on redistricting.
- The Senate Council assured him that it was acceptable to do.
- He believes it is a good idea that will ensure that any particular city in a district had a least one representative that they did elect.
- Senator Soucy asked if HB 270 was retained in the House.
 - Senator Gray replied that, yes it was.
- Senator Soucy questioned if that bill is retained and this will take effect 60 days after its passage what is the sudden urgency to do this.
 - Senator Gray replied that even if HB 270 gets a favorable vote out of the retention, they will already be in the because if this passes then they will already be in the period of the next election cycle when the bill would take effect. It would be possible to do it then but if it can be done sooner it will be better. Many in the House were disappointed that HB 270 went to reconsideration.
- Senator Perkins Kwoka asked if there is a reason they should be revisiting one of the redistricting conversations when they already voted last year.

- Senator Gray replied that there are those that think that Strafford County is better off one way as opposed to another. Since this level of redistricting started in the House, Strafford County has been reconsidered. He consulted with the Senate Legal Counsel before he drafted this amendment and was assured there is no constitutional problem with it. Today is just as good a day as any other to take care of this change.

Rep. Claudine Burnham

- She has lived in Milton for 27 years and is the current Chair of the Milton Select Board.
- Milton and Milton Mills Villages are combined as a small town of 4,482 residents.
- In March of 2020, Milton voters overwhelmingly voted to institute a 2% tax cap in accordance with RSA 32:5.
- Since the 2021 budget they have worked hard to honor that and by reducing their budget, were able to return \$1.4 million through the reduction of their tax rate.
- In 2021 Milton's County tax was \$1,203,364.00, which was about 21% of their operating budget.
- As Milton continued to streamline their 2022 budget, keeping under the 2% tax cap, they were horrified to receive the new county amount of \$1,450,797.00.
- This was an increase of \$247,433 and three times higher than any previous increase.
- They had to scramble to set the tax rate, get it approved by DRA, and issue tax bills hoping that the revenue would flow before the county tax payment deadline.
- This increase hits hard on a small town.
- With further increases proposed by county commissioners, Milton and other small towns will be forced to exceed their tax cap to offset the new amounts.
- It is difficult to set a budget when you do not know how much of an increase will be coming.
- The county does not honor small town tax caps.
- It was only recently when the Select Board raised these concerns that a county commissioner and administrator explained the increases.
- One of their commissioners has been a commissioner for 40 years and she has never met him.
- Redistricting the commissioners position, gives Milton and other small towns in Strafford County an opportunity to have a voice that speaks for them.

Representative Michael Granger

- This amendment is necessary because Strafford County is the only county that is not separated into districts.
- This has been brought up many times with the last time being in 2006.
- The primary reason it did not pass then, was because they were all served by the same newspaper which is not a relevant problem today.
- The biggest problem now is that the county commissioners do not worry about the small towns because there is not enough of a voting base to make an impact on their elections.
- Commissioner Maglaras has been in the same position for forty years and he has just recently been to Milton for the first time in an exceedingly long time.
- In the Strafford County delegation they heard a brief overview of the proposed budget and it was major increases across the board
- When it was pointed out that Milton and Middleton have tax caps, the response from the commissioners was that they did not know that.
- Hillsborough and all the other counties had changed to electing district commissioners instead of at large, before 1980.
- Most of the counties switched during an off year and not during the redistricting years.
- Senator Soucy asked why this was not brought up during redistricting
 - Rep. Granger replied that Rep. Turcotte would know more about that but he believes that redistricting was so time consuming and expansive they did not want to add more work to the pile.
- Senator Soucy asked if he would believe that she attended the redistricting hearing in Strafford County and at that time there was no mention made regarding commissioner districts.
 - Rep. Granger replied, okay.

Representative Kelley Potenza

- It is not true that it is only the Republicans in Strafford County that are supporting this and she could give the Committee some names of Democrats if needed.
- She believes this is not really about redistricting, it is about Strafford being different than every other county in NH.
- They are the only county that uses at large voting rather than by districts.
- This system is great for the commissioners but not so good for the people.
- Strafford County is made up of three cities and ten towns.
- In the election of 2022, the cities of Dover, Somersworth and the town of Durham, the leading Democrat vote getter had received 8,929 more votes than the leading Republican.
- By comparison, in Rochester, the leading Republican candidate got 48 more votes than the leading Democrat candidate.
- In the other nine towns the party vote difference was only about 60 votes.
- She believes this clearly shows that Somersworth, Dover and Durham are electing the commissioners.
- That is not representative of the other ten towns and is not fair to the voters.
- Most of the attention at the county level is given to the three cities.
- She questions why there is such a political dominance from one political party among county commissioners.
- The small towns pay more than eleven million which is one-third of the county taxes required to finance the county budget.
- They should have equal representation.
- For the proposed county homeless shelter, Somersworth, Dover and Rochester, were notified and included in the idea and concept.
- After hours of research she could not find anything that showed that the other nine towns were publicly notified.
- The presentation for the proposed \$170 million, which is actually now \$139 million, new county nursing home, was only given to Rochester, Dover, Somersworth and Durham.
- This amendment will require Strafford County to be divided into three districts for the county commissioners race.
- If passed, there will be no more "at large," the small towns will finally get their own county commissioner instead of having one picked for them by the cities

Representative James Connor

- He agreed with the former speakers that the smaller towns do not receive any representation.
- He believes that Dover and Durham elect the county commissioners.
- If they have to have a special election, they will have one.
- The city of Rochester just got done with a special election.
- This will give more people voting power so they have a say in who the commissioners are.
- This is not going to get worked out when there is a 2 to 1 ratio.
- Senator Soucy asked how would they determine which one of the two commissioners would represent the district in a special election if this passes.
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Summary of testimony presented in opposition:

Rep. Timothy Horrigan

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- The town of Milton is only 4,000 people out of over 100,000 in the county.
- He believes the 2% tax cap is much more aggressive than the cities tax caps and they have always honored them.
- This issue should have been taken up a year ago when they did redistricting.
- There is concern on the House side that it is not legal to do this now.
- Making this change was never brought up by the Republicans last year and it is all Republicans who are in favor of it.
- It was never brought up in advance of the hearing on HB270.
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- He feels this has been sprung on the other towns and cities in the county fairly abruptly.
- If this bill passes there will be two incumbents in one district and a third incumbent in a district that would be open .
- He believes this will create an awkward situation especially because this takes effect 60 days after passage.
- They would have to decide what happens to the two commissioners who are now in the same district.

Kate Horgan – NH Association of Counties

- The purpose of retaining this in committee was to allow the county commissioners and the county delegation the time to work through any issues, find common ground and potentially move forward with a bill next year.
- The Association asks that the Senate allow that process to happen.
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- Some counties have districts, some vote at large by district, some vote only for the commissioner in their district and others have a floating four year term that exists.
- Counties pick what works best for them which requires collaborating with the delegation members, the public and with the county commissioners.
- She believes that if this goes into effect within sixty days, they have to have a special election.
- For the past eleven years the tax in Milton has gone up less than two percent.

TJM

Date Hearing Report completed: May 5, 2023

Speakers

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Senate Election Law and Municipal Affairs Committee

SIGN-IN SHEET

Date: March 21, 2023 Time: 9:30 a.m.

HB 75 An Act to increase the threshold of county owned personal property subject to competitive bidding.

PRIME: Representative Aron

Name/Representing (please print neatly)

	Support	Oppose	Speaking?	Yes	No
✓ Kade Horgan NHAC	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Senate Election Law and Municipal Affairs Committee

SIGN-IN SHEET

Date: May 2, 2023

Time: 10:31 a.m.

Amendment
#1552s to HB 75

Relative to the Strafford county commissioners – Senator Gray

Name/Representing (please print neatly)

Name/Representing	Support	Oppose	Speaking?	Yes	No
Kate Horgan NHA C	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Claudine Burnham Rep Dietz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Granger Strafford 2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
James Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep Timothy Horgan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
REP. KELLEY POTENZA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Senate Remote Testify

Election Law and Municipal Affairs Committee Testify List for Bill HB75 on 2023
Support: 7 Oppose: 0

<u>Name</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>
Casey, Seamus	A Member of the Public	Myself	Support
Allard, John	A Member of the Public	Myself	Support
Petrusewicz, Carol	A Member of the Public	Myself	Support
Gardner, Luci	A Member of the Public	Myself	Support
WOODS, JANICE	A Member of the Public	Myself	Support
Sawyer, Esther	A Member of the Public	Myself	Support
Lafortune, Timothy	A Member of the Public	Myself	Support

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Testimony

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Amendment 1552 House Bill 270 – Relative to election of Strafford County Commissioners
Election Law and Municipal Affairs Room 103, LOB
Tuesday, May 2, 2023
Time: 2:30pm

Dear Mr. Chairman and Members of the Committee:

As a current ^{vice} chair of the Milton Board of Selectman and a tax paying resident of Milton for 27 years, I have many reasons why I believe that we should redistrict the Strafford County Commissioner elected position. Milton and Milton Mills Villages are combined as a small town of 4,482 residents, providing about 2,777 taxpayers. In March of 2020, Milton voters overwhelming voted in a Petition Warrant Article to institute a 2% tax cap in accordance with RSA 32:5. Since our 2021 budget, our Budget Committee and Select Board have worked endlessly to honor our residents with reducing our budget, returning \$1.4 million of unassigned fund balance through the reduction of our tax rate, while still maintaining our DRA recommendations of 5 to 16 percent of our operating budget for unanticipated emergencies.

In 2021, Milton's County tax was in the amount of \$1,203,364 which was about 21% of our operating budget to be added to our Town tax rate. As Milton continued to streamline their 2022 budget keeping under the 2% tax cap during an inflationary fiscal year, the Board and Budget Committee were horrified to receive in October the new county amount of \$1,450,797 to be paid by December 17, 2022. This was an increase of \$247,433 with a rate of 21% more than the previous year.

This tax bill was three times higher than any previous increase and placed our town office on high alert in the last days of our fiscal year, trying to set the tax rate, getting it approved by the DRA and finally issuing the tax bills to the residents in hopes that tax revenue would flow quickly before the County tax payment deadline. As a small town, the Select Board are fiscally responsible for the town budget and retaining our staff within that budget. However, with further increases proposed by the Strafford County Commissioners, Milton and other small towns will be forced to exceed their tax cap to offset these proposed amounts which are set after SB2 fiscal year budgets are voted in.

How much should small towns anticipate in County tax increases, when the County does not honor small town tax caps? It was only recently, since this concern was raised, that Milton was addressed by the County Commissioner and Administrator about the explanation of these increases.

By redistricting the Commissioners position, it gives Milton and other small towns in Strafford County an opportunity to have a voice that speaks for them and a face to which a voter can feel confident in voting.

Thank you for your consideration on this amendment,

Representative Claudine Burnham
Strafford District 2, Milton/Rochester Ward 5

Tricia Melillo

From: harringt@metrocast.net
Sent: Friday, April 28, 2023 8:01 AM
To: James Gray; Keith Murphy; Daryl Abbas; Donna Soucy; Rebecca Perkins Kwoka; Tricia Melillo
Subject: Amendment to HB 75

Caution! This message was sent from outside your organization.

Sen. Gray has proposed amendment 1552 to HB 75. This would bring the election of County Commissioners in Strafford in line with how it is done in all other counties. Right now Strafford County elects 3 at large Commissioners insuring that almost all the time all 3 come from one of the cities in Strafford County. I can only remember one case where someone from the towns was elected Commissioner and he only served one term. I represent the towns of Barrington, Middleton, New Durham and Strafford and we would like to see multiple districts so there would be a chance of electing someone from one of these towns or one of the other rural towns in Strafford County.

Rep Mike Harrington
Strafford District 3

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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 Gray
Chair
Election Law & Municipal Affairs Committee
NH Senate
Concord, NH 03301

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

HB 75 will increase the threshold of county owned personal property subject to competitive bidding from \$300 to \$3,000. This bill is a simple update to the statues to ensure that thresholds for competitive bidding in county government reflect the inflation that has occurred over recent years. The last time that this statue was updated was the late 1990's and therefore this increase would assist counties in completing their work on behalf of the public.

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

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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Immediate Past President
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Cheshire County Commissioner

Treasurer
Charles Nickerson
Rockingham Finance Director

Bylaws Chair
Chris Coates
Cheshire County Administrator

May 2, 2023

The Honorable James Gray
Chairman
Election Law and Municipal Affairs
NH State House
Concord, NH 03301

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

The NH Association of Counties would like to express its opposition to Amendment 2023-1552, relative to the election of Strafford County Commissioners.

This amendment is a replica of HB 270 that the House Municipal and County Government Committee retained in committee, the purpose of retaining was to allow the 2 sides to come together and see if common ground could be found. The Association would ask that the Senate allow that process to happen.

County Commissioner districts are set during the redistricting process every ten years. In 2022, the NH Legislative undertook that process and set that Strafford County would not have districts and would elect their county commissioners county wide. This bill would overturn this process.

Strafford County is geographically the smallest county and dividing it into districts equitably is extremely difficult without dividing every city in the county into multiple districts. Dividing cities between county commissioner districts is very rare and only occurs in one other county. Due to the small size of Strafford County, each voter should have the right to vote on all the Commissioners as decisions at the county level directly impact all residents of Strafford County.

Finally, among the ten counties there are a variety of ways to elect your county commissioners, and each county has worked with their delegations historically to decide which system works best for the voters of their county. For example, Sullivan and Carroll County also allow for all voters to vote for all 3 commissioners regardless of where they live. Other counties have set districts and the residents of that district vote for their district commissioner with some counties

having a floating 4-year term. It is vital that each county elects their commissioners in the most beneficial manner for their county.

The NH Association of Counties would urge your opposition to amendment and would ask you to vote Inexpedient to Legislate. If you have any questions, please contact Kate Horgan at KHorgan@dupontgroup.com.

Sincerely,

A handwritten signature in black ink that reads "Wendy Piper". The signature is written in a cursive, flowing style.

Wendy Piper
President
NH Association of Counties

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Dear Senate Election Law and Municipal Affairs Committee Members,

This testimony introduces HB75 to your committee.

This bill increases the threshold of county owned personal property subject to competitive bidding.

RSA 28:8-a was adopted in 1959. Based on an inflation calculator, the current value of an item worth \$300 in 1959 is \$3,054. <https://www.usinflationcalculator.com/>

It makes sense, therefore, to update this statute to reflect the true value of property because of inflation.

I hope you will vote to update this RSA, as it passed the House unanimously.

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

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Debra Martone

From: James P Gray <jpgray@metrocast.net>
Sent: Tuesday, May 2, 2023 10:25 AM
To: Debra Martone
Subject: Map



Jim
James P Gray
Sent from my iPhone

Voting Sheets

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

Bill **HB 75**

Hearing date: 3/21/23

Executive Session date: 4/18/23

Motion of: OTP Vote: 4-0

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

Motion of: Reconsideration ^{5/2/23} Vote: 3-2

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

Motion of: _____ Vote: _____

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

Reported out by: Sen. Gray

Notes: _____

Senate Election Law & Municipal Affairs Committee

EXECUTIVE SESSION RECORD

2023 Session

3/21/23 HB 75

Bill HB 75

Hearing date: 5/2/23 Amendment

Executive Session date: 5/2/23

Motion of: OTP Vote: _____

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

Motion of: 1552s with changes Vote: 3-2

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

Motion of: OTP/A Vote: 3-2

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

Reported out by: Sen. Gray

Notes: _____

Committee Report

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STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Tuesday, April 18, 2023

THE COMMITTEE ON Election Law and Municipal Affairs

to which was referred **HB 75**

AN ACT

to increase the threshold of county owned personal property subject to competitive bidding.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 4-0

Senator James Gray
For the Committee

Tricia Melillo 271-3077

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STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Tuesday, May 2, 2023

THE COMMITTEE ON Election Law and Municipal Affairs

to which was referred **HB 75**

AN ACT

to increase the threshold of county owned personal property subject to competitive bidding.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 3-2

AMENDMENT # 1630s

Senator James Gray
For the Committee

Tricia Melillo 271-3077

General Court of New Hampshire - Bill Status System

Docket of HB75

Docket Abbreviations

Bill Title: (New Title) relative to the election of Strafford county commissioners.

Official Docket of HB75.:

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 02:15 pm LOB 301-303
1/11/2023	H	Executive Session: 01/19/2023 10:30 am LOB 301-303
1/25/2023	H	Committee Report: Ought to Pass 01/25/2023 (Vote 19-0; CC) HC 9 P. 4
2/2/2023	H	Ought to Pass: 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, 09:15 am; SC 13
3/13/2023	S	==RESCHEDULED== Hearing: 03/21/2023, Room 103, LOB, 09:30 am; SC 14
4/27/2023	S	Hearing: 05/02/2023, Room 103, LOB, 10:31 am, on proposed amendment #2023-1552s; SC 20
5/3/2023	S	Committee Report: Ought to Pass with Amendment #2023-1630s , 05/11/2023; SC 21
5/11/2023	S	Committee Amendment #2023-1630s , AF, VV; 05/11/2023; SJ 14
5/11/2023	S	Sen. Gray Floor Amendment #2023-1741s , RC 14Y-10N, AA; 05/11/2023; SJ 14
5/11/2023	S	Ought to Pass with Amendment 2023-1741s, RC 14Y-10N, MA; OT3rdg; 05/11/2023; SJ 14
6/15/2023	H	House Concurs with Senate Amendment 2023-1741s (Rep. L. Turcotte): MF DV 185-188 06/15/2023 HJ 15
6/15/2023	H	House Non-Concurs with Senate Amendment 2023-1741s (Rep. L. Turcotte): MF DV 185-188 06/15/2023 HJ 15
6/15/2023	H	Lay HB75 on Table (Rep. Weber): MF DV 186-188 06/15/2023 HJ 15
6/15/2023	H	House Non-Concurs with Senate Amendment 2023-1741s and Requests CofC (Rep. L. Turcotte): MA DV 188-186 06/15/2023 HJ 15
6/15/2023	H	Speaker Appoints: Reps. L. Turcotte, Pauer, Lascelles, Stavis 06/15/2023 HJ 15
6/15/2023	S	Sen. Gray Accedes to House Request for Committee of Conference, MA, VV; 06/15/2023; SJ 19
6/15/2023	S	President Appoints: Senators Gray, Abbas, Soucy; 06/15/2023; SJ 19
6/21/2023	H	Conference Committee Meeting: 06/21/2023 02:00 pm LOB 301-303
6/19/2023	S	Conferee Change; Senator Bradley Replaces Senator Abbas; SJ 20
6/21/2023	H	Conferee Change: Rep. S. Smith Replaces Rep. Stavis 06/21/2023 HJ 16
6/22/2023	S	Conferee Change; Senator Carson Replaces Senator Soucy; SJ 20
6/22/2023	S	Conference Committee Report Filed, #2023-2229c ; 06/29/2023
6/29/2023	S	Special Order to HB 75 to the end of the House Bills, Without Objection, MA; 06/29/2023; SJ 20
6/29/2023	S	Conference Committee Report #2023-2229c ; RC 14Y-10N, Adopted; 06/29/2023; SJ 20
6/29/2023	H	Lay on Table (Rep. Weber): MF DV 185-186 06/29/2023 HJ 17

6/29/2023	H	Conference Committee Report 2023-2229c: Adopted, DV 186-185 06/29/2023 HJ 17
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
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Other Referrals

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June 22, 2023
2023-2229-CofC
02/08

1 Committee of Conference Report on HB 75, to increase the threshold of county owned personal property
2 subject to competitive bidding.

3

4 Recommendation:

5 That the House recede from its position of nonconcurrency with the Senate amendment, and concur
6 with the Senate amendment, and that the Senate and House each pass the bill as amended by the
7 Senate.

The signatures below attest to the authenticity of this Report on HB 75, to increase the threshold of
county owned personal property subject to competitive bidding.

Conferees on the Part of the Senate

Conferees on the Part of the House

Sen. Gray, Dist. 6

Rep. L. Turcotte, Straf. 4

Sen. Bradley, Dist. 3

Rep. Pauer, Hills. 36

Sen. Carson, Dist. 14

Rep. Lascelles, Hills. 14

Rep. S. Smith, Sull. 3

2023-2229-CofC

AMENDED ANALYSIS

This bill changes how county commissioners are elected in Strafford county and sets the county commissioner districts in Strafford county.

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Senate Inventory Checklist for Archives

Bill Number: HB 75

Senate Committee: ELMA

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
- 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 # 1552s - amendment # 11230s
- amendment # 11207s _____ - 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 # 1741s _____ - 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): 2229 CofC
- _____ 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:

Tucia Muello
Committee Aide

7/26/23
Date

Senate Clerk's Office AK

CHAPTER 177
HB 75 - FINAL VERSION

DEFENDANTS
EXHIBIT 3

05/11/2023 1741s
29Jun2023... 2229CofC

2023 SESSION

23-0179
02/04

HOUSE BILL **75**

AN ACT relative to the election of Strafford county commissioners.

SPONSORS: Rep. Aron, Sull. 4; Rep. Rollins, Sull. 3; Rep. Stapleton, Sull. 6; Rep. Guthrie, Rock. 15; Rep. Potucek, Rock. 13; Rep. Cloutier, Sull. 6

COMMITTEE: Municipal and County Government

AMENDED ANALYSIS

This bill changes how county commissioners are elected in Strafford county and sets the county commissioner districts in Strafford county.

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.

05/11/2023 1741s
29Jun2023... 2229CofC 23-0179
02/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the election of Strafford county commissioners.

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

177:1 Strafford County; Elected for 2-Year Term; County Commissioner Districts. Amend RSA 653:1, VI(c) to read as follows:

(c) ~~Strafford county-[3 county commissioners by all the voters of the county]~~ ***one county commissioner by the voters in each county commissioner district,***

177:2 Strafford County; County Commissioner Districts. Amend the introductory paragraph of RSA 662:4 to read as follows:

662:4 County Commissioner Districts. ~~[Except for Strafford county where 3 county commissioners shall be elected at large,]~~ For the purposes of choosing county commissioners, the counties shall be divided into districts as follows:

177:3 Strafford County; County Commissioner Districts. Amend RSA 662:4, IX to read as follows:

IX. Strafford: District 1, the towns of Farmington, Middleton, Milton, New Durham, wards 1, 5, and 6, of the city of Rochester, and wards 1, 2, 3, 4, and 5 of the city of Somersworth; District 2, wards 1, 2, 3, and 4 of the city of Dover, and the towns of Durham, Lee, and Rollinsford; District 3, Barrington, wards 5 and 6 of the city of Dover, Madbury, wards 2, 3, and 4 of the city of Rochester, and the town of Strafford.

X. Sullivan: District 1, the town of Cornish and the city of Claremont; District 2, the towns of Croydon, Grantham,

Newport, Plainfield, and Springfield; District 3, the towns of Acworth, Charlestown, Goshen, Langdon, Lempster, Sunapee, Unity, and Washington.

177:4 Application; Strafford County. The changes in Strafford County commissioner districts established by this act shall not affect constituencies or terms of office of commissioners presently in office. The commissioner districts established by this act shall be in effect for the purpose of electing commissioners at the 2024 state general election. If there shall be a vacancy in a commissioner district for any reason prior to the 2024 state general election, the vacancy shall be filled as provided in law for Strafford County commissioners that existed for the 2022 state general election.

177:5 Effective Date. This act shall take effect 60 days after its passage.

Approved: August 04, 2023

Effective Date: October 03, 2023

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