

HB 1373 – AS INTRODUCED

2014 SESSION

14-2058
10/05

HOUSE BILL **1373**

AN ACT relative to the transfer of county budget appropriations in the Belknap county budget, and relative to payment of county legal expenses.

SPONSORS: Rep. Worsman, Belk 2; Rep. Comtois, Belk 7; Rep. Burchell, Belk 5; Rep. Greemore, Belk 2; Rep. Sylvia, Belk 6; Rep. Fink, Belk 6

COMMITTEE: Municipal and County Government

ANALYSIS

This bill establishes requirements for the transfer of appropriations made by the Belknap county budget as adopted by the county convention.

The bill also clarifies the obligation to pay the legal expenses of the county convention and county officer and employees acting within the scope of official duty.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Fourteen

AN ACT relative to the transfer of county budget appropriations in the Belknap county budget, and relative to payment of county legal expenses.

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

1 1 New Section; Belknap County; County Convention; Appropriations and Transfers. Amend
2 RSA 24 by inserting after section 13-c the following new section:

3 24:13-d Belknap County. Notwithstanding any other law to the contrary, the following
4 procedures shall apply in Belknap County:

5 I. The appropriations voted pursuant to RSA 24:13 shall be itemized in detail, including
6 specific lines within each department, and a record thereof shall be kept by the clerk of the county
7 convention and the county treasurer. The executive committee of the county convention is
8 authorized to review the expenditures of the county after adoption of the county budget. Such review
9 may occur as often as voted by the executive committee, but not less than twice each year. For each
10 review, the county commissioners shall report to the executive committee the expenditures of the
11 county as compared to the detailed budget as voted by the county convention.

12 II. Any request to transfer funds between specific lines within a department or from one
13 department to another must be made in writing by a department head to the county commissioners
14 who, if they approve same, shall report in writing their recommendation to the executive committee.
15 The executive committee by majority vote may approve such transfer of funds in whole or in part.

16 2 Exceeding Appropriations; Transfers. Amend RSA 24:15, III to read as follows:

17 III. Unless otherwise ordered by the county convention[;] under RSA 24:14 ***or as provided***
18 ***specifically for a county in this Title***, whenever it appears that the amount appropriated for a
19 specific purpose will not be used in whole or in part for such purpose, the county commissioners may
20 use such sum to augment other appropriations, if necessary, provided the total payments for all
21 purposes do not exceed the total sum of appropriations in any year made by the county convention.

22 3 New Section; Expenses of Enforcement. Amend RSA 24 by inserting after section 18 the
23 following new section:

24 24:18-a Expenses of Enforcement. If any provision of this chapter is reasonably believed to have
25 been violated and it becomes necessary for the county convention to seek court enforcement, the
26 commissioners shall timely pay the convention's incurred legal fees. Additionally, should the court
27 deem that the commissioners have violated the provisions of this chapter, they shall be forthwith
28 removed for official misconduct. In the event that expenses can be attributed to 2 or more
29 departments, the whole expense shall be expensed to one specific line for the entire budget in order

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1 to promote transparency. For auditing purposes an adjusting entry may be made to attribute an
2 expense to multiple departments.

3 4 Defense And Indemnification of County Officers and Employees; Appeal to County
4 Convention. Amend RSA 29-A:7 to read as follows:

5 29-A:7 Appeal. Appeal from denial of representation by the county commissioners as provided
6 in RSA 29-A:2 shall be available to any officer, trustee, official or employee who is so denied. Such
7 appeal shall be by petition to the county convention. ***In the case of a reversal by a majority vote***
8 ***of the county convention of the denial of representation, the county shall pay all costs of***
9 ***such representation or defense, to be paid by the county commissioners from funds not***
10 ***otherwise appropriated.***

11 5 Effective Date. This act shall take effect 60 days after its passage.