Bill as Introduced

HB 1172 – AS INTRODUCED

2000 SESSION

00-2587
08/01

HOUSE BILL ***1172***

AN ACT providing staggered terms for agricultural advisory board members.

SPONSORS: Rep. Musler, Straf 6; Rep. Babson, Carr 5; Rep. Melcher, Hills 11; Rep. Messier, Hills 46

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill provides staggered terms for agricultural advisory board members.

This bill was requested by the department of agriculture, markets, and food.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 1172 – AS INTRODUCED

00-2587
08/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand

AN ACT providing staggered terms for agricultural advisory board members.

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

1 Agricultural Advisory Board; Term of Office. Amend RSA 425:22, II to read as follows:

II. The term of office of members of the board shall be 5 years and until their successors are appointed and qualified. Vacancies shall be filled for the unexpired term only. ***However, beginning in 2000, the terms of 2 members representing agriculture as provided in subparagraph I(a) and one member representing the industry interests as provided in subparagraphs I(b) – (f) to be chosen by governor and council, shall expire each year.*** No board member shall be eligible for successive reappointment. Appointments to the board shall be made by the governor with the advice and consent of the council on the basis of extensive experience and demonstrated ability and on a nonpartisan basis.

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

Amendments

Rep. K. Marshall, Merr. 4
February 10, 20000
2000-3399h
08/09

Amendment to HB 1172

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

1 Agricultural Advisory Board; Term of Office. Amend RSA 425:22, II to read as follows:

II. The term of office of members of the board shall be 5 years and until their successors are appointed and qualified. Vacancies shall be filled for the unexpired term only. ***However, beginning July 1, 2001, the terms of 2 members representing agriculture as provided in subparagraph I(a) and one member representing the industry interests as provided in subparagraphs I(b) – (f) shall expire each year. Initial terms for members representing agriculture shall expire in the year as follows: Belknap and Sullivan counties, 2002; Carroll and Strafford counties, 2003; Cheshire and Rockingham counties, 2004; Coos and Merrimack counties, 2005; and Grafton and Hillsborough counties, 2006. Initial terms for members representing industry interests shall expire in the year as follows: petroleum, 2002; food retailing, 2003; advertising, 2004; food distribution, 2005; and consumer, 2006.*** No board member shall be eligible for successive reappointment ***after 2004***. Appointments to the board shall be made by the governor with the advice and consent of the council on the basis of extensive experience and demonstrated ability and on a nonpartisan basis.

2 Reappointment of Board Members Serving as of the Effective Date of this Act. Members of the board serving as of the effective date of this act may be considered for reappointment for terms ending within 3 years of such date.

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

2000-3399h

AMENDED ANALYSIS

This bill provides staggered terms for agricultural advisory board members, and specifies the order in which each board member's term expires.

This bill was requested by the department of agriculture, markets, and food.

Speakers

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 1172 Date 1/6/00 10:30

Committee E + Agriculture

**** Please Print All Information ****

Name	Address	Phone	Representing	(check one) Pro	Con
[illegible]					

Hearing Minutes

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

PUBLIC HEARING ON HB 1172

BILL TITLE: providing staggered terms for agricultural advisory board members.

DATE: January 6, 2000

LOB ROOM: 303 **Time Public Hearing Called to Order:** 10:30 am

Time Adjourned: 10:50 am

(please circle if present)

Committee Members: Reps. Musler, Leishman, Messier, L. Pratt, McRae, Philbrick, Babson, Phinney, Marshall, Dunlap, Franks, Scanlan, Cobb, Harmon, B. Hall, Owen, Melcher, Meader, M. Ouellette, Phinizy, Shelton and Tuthill.

Bill Sponsors: Reps. Musler, Babson, Melcher and Messier

TESTIMONY

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

Rep. Musler: sponser of the bill, introduced it.

Comm. Steve Taylor: suports the bill, 1995 board size increased by diversified membership, staggered board wording deleted from 1995 reorganization bill, need to have stability in the membership reason for this bill. 15 board members.

Rep. Melcher: Absenteeism?

Steve Taylor: No longer a problem

Rep. Marshall: Next year every one out, staggered term wording should cure.

Rep. Tuthill: public hearing date certain?

Steve Taylor: At the spring meeting

Rep. Owen: Is there a problem with the chairman?

Steve Taylor: It's best to have designated rather than elected.

Rep. Marshall: Government appointment in timely manner?

Steve Taylor: Yes

Rep. Babson: 13 out of 15 generally attend meetings. Minutes are on file at department. Most important duty to recommend to the Governor candidates for position of Commissioner; advisory board.

Respectfully submitted,

Karen K McRae

Rep. Karen McRae, Clerk

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

PUBLIC HEARING ON HB 1172

BILL TITLE: **providing staggered terms for agricultural advisory board members.**

DATE: 1-6-2000

LOB ROOM: 303 **Time Public Hearing Called to Order:** 10:30 am

Time Adjourned: 10:50 am

(please circle if present)

Committee Members: Reps. Musler, Leishman, Messier, L. Pratt, McRae, Philbrick, Babson, Phinney, Marshall, Dunlap, Franks, Scanlan, Cobb, Harmon, B. Hall, Owen, Melcher, Meader, M. Ouellette, Phiniz, Shelton and Tuthill.

Bill Sponsors: Reps. Musler, Babson, Melcher and Messier

TESTIMONY

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

Rep. Musler, sponsor, introduced bill

*Com. Steve Taylor, support, 1995 board size increased by diversified membership, staggard board wording deleted from 1995 reorganization bill, need to have stability in the membership reason for this bill - 15 members Board

? by Committee -

Melcher - absenteeism? - ans. no longer a problem

Marshall - ans. next year every one out - staggard Term wording should cure

Owen -

Tuthill - ? public hearing date certain - ans. at spring meeting

Owen - ? problem w/ chairman - ans. best to have designated rather than elected

Marshall - Gov appt in timely manner? - ans. Yes -

Babson - ans. 13 out of 15 generally attend, minutes

on file at dept. — most important duty to recommend to Gov candidates for position of Commissioner; advisory board Philbrick.

(1) are there any other sponsors that wish to speak on this bill (1172)?

(2) Anyone else that wishes to speak?

Questions of terms & full terms:

1) reappointment process in question

2) annual public hearing in Spring

3) Appointment of Chair of board (within or without)

4) Ag admin Board interviews & recommends position of Commissioner

2 unexcused absences?

Governor's appointments

Question of increase of excused absences?

Sub-Committee Actions

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

SUBCOMMITTEE WORK SESSION ON {Type BILL NO.}

BILL TITLE: H.B. 1172

DATE: {Type DATE} Jan 25, 2000

Subcommittee Members: Reps. {Type NAMES} Marshall, Beaton - ~~Brett~~ Owen, Melcher

Comments and Recommendations:

Amendments: Amend to have 425:22, II read to have term of office work in reality.

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Owen

Seconded by Rep. Melcher

Vote:

Respectfully submitted,

Rep. {Type NAME}
Subcommittee Chairman/Clerk

Kenneth R. Marshall

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

SUBCOMMITTEE WORK SESSION ON HB 1172

BILL TITLE: **providing staggered terms for agricultural advisory board members.**

DATE: February 15, 2000

Subcommittee Members: Reps. Babson, Melcher, Owen and Marshall-

Comments and Recommendations:

Amend to have 425:22, II read to have term office work in reality

Amendments:

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. _Owen_

Seconded by Rep. Melcher

Vote: 4-0

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. _____

Seconded by Rep. _____

Vote: _____

Respectfully submitted,

Rep. Kenneth Marshall
Subcommittee Chairman/Clerk

1172 - Feb 15, ~~xxxx~~ 2000

Babson - yes
Melcher - yes
Owen - yes
Marshall - yes

Motion by Owen
Seconded by Melcher OTP as amended

HB 1483

Recommendation to amend RSA 332-B:1 ~~xx~~
~~Add~~ section roman II A Definitions
to remove the word lameness

Melcher - yes
Owen - yes
Marshall - yes
Babson - yes

Motion by Melcher
Seconded by Owen

Testimony

New Hampshire
Department of Agriculture, Markets & Food

Stephen H. Taylor, Commissioner

January 6, 2000

Hon. George T. Musler, Chair
House Committee on Environment and Agriculture
LOB 303

RE: HB 1172

Dear Chairman Musler and members of the Committee:

I support HB 1172 to provide for staggered terms for members of the state Agricultural Advisory Board.

The purpose of this bill is to restore the system which had been in place for many years prior to 1995 and which provided that one-fifth of the board was replaced each year. This assured both continuity for the board and for a systematic addition of fresh blood each year.

When the statutes which organize the Department of Agriculture, Markets and Food were extensively redrawn in the 1995 session of the General Court the procedure for determining the terms of board members was inadvertently changed, so that the governor and council in 1996 appointed the reconstituted board for five years all at once.

Thus the present board members will have their terms expire the same day in 2001. If HB 1172 is enacted, the terms of the board membership will be staggered so that three vacancies will occur each year and that the entire board will turn over in five years.

I believe that it was the intent back in 1995 that the Agricultural Advisory Board be appointed with staggered terms as had traditionally been done, and HB 1172 will bring that about.
I thus urge you to report this bill as ought-to-pass.

Respectfully,

Steve Taylor

Stephen H. Taylor
Commissioner

Office of Commissioner 25 Capitol Street PO Box 2042 Concord, NH 03302-2042
TDD Access: Relay NH 1-800-735-2964
(603) 271-3551

HB 1172

§ 425:22. Advisory Board Established.

I. There shall be a board advisory to the commissioner of agriculture, markets, and food which shall consist of the following 15 members:

(a) Ten members, one from each county, actively engaged in agriculture.

(b) One member who shall represent the petroleum industry.

(c) One member who shall represent the food distribution industry.

(d) One member who shall represent the food retailing industry.

(e) One member who shall represent consumer interests.

(f) One member who shall represent the advertising industry.

II. The term of office of members of the board shall be 5 years and until their successors are appointed and qualified. Vacancies shall be filled for the unexpired term only. No board member shall be eligible for successive reappointment. Appointments to the board shall be made by the governor with the advice and consent of the council on the basis of extensive experience and demonstrated ability and on a nonpartisan basis.

III. The governor shall annually designate a chairperson from among the membership. No member shall serve as chairperson more than 3 years.

IV. Members of the board shall serve without compensation, but shall be entitled to receive mileage and expenses when in performance of the duties required under this subdivision.

V. A member who has 2 unexcused absences from meetings of the board shall be automatically dropped from the board, and a new member shall be appointed before the next meeting.

History

Source. 1985, 72:1. 1995, 130:3, eff. July 23, 1995.

Amendments--1995. Amended section generally.

§ 425:23. Advisory Board; Duties.

The board shall consult with and advise the commissioner of agriculture, markets, and food with respect to the policies, programs, and operations of the department on a continuing basis and for such purposes shall meet with the commissioner not less than semi-annually at the call of the chairperson or 3 board members. The board shall designate and advertise at least one meeting annually as a public hearing at which interested persons may appear and be heard regarding matters affecting agriculture, markets, and food and related laws. The board shall promote close coordination of the activities of the department with activities of the United States Department of Agriculture, Environmental Protection Agency and other federal agencies; the University of New Hampshire, including cooperative extension work; other state agencies; and farm organizations

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of the state. Upon expiration of the term of office of the commissioner of agriculture, markets, and food, or upon the occurrence of a vacancy in such office, it shall be the duty of the board to submit advisory recommendations to the governor and council concerning such new appointment or the filling of such vacancy.

History

Source. 1985, 72:1. 1995, 130:3, eff. July 23, 1995.

Amendments--1995. Amended section generally.

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Voting Sheets

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

EXECUTIVE SESSION on HB 1172

BILL TITLE: **providing staggered terms for agricultural advisory board members.**

DATE: **February 16, 2000**

LOB ROOM: **303**

Amendments:

Sponsor: Rep. Marshall — OLS Document #: 2000-3399h — (Adopted) Failed

Sponsor: Rep. _____ — OLS Document #: _____ — Adopted/Failed

Sponsor: Rep. _____ — OLS Document #: _____ — Adopted/Failed

Motions: OTP (OTP/A) ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Marshall

Seconded by Rep. Melcehr

Vote: 14-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. _____

Seconded by Rep. _____

Vote: _____ (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 14-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Karen K. McRae

Rep. Karen K. McRae, Clerk

OFFICE OF THE HOUSE CLERK 2000 SESSION

ENVIRONMENT AND AGRICULTURE

Bill #: 1172 **Title:**

PH Date: / / **Exec Session Date:** 02/16/2000

Motion: OTP/W AMEND **Amendment #:**

MEMBER	YEAS	NAYS
Musler, George T, Chairman		
Leishman, Peter R, V Chairman	✓	
Messier, Irene M	✓	
Pratt, Leighton C	✓	
McRae, Karen K, Clerk		
Philbrick, Donald R	✓	
Babson, David L	✓	
Phinney, William R		
Marshall, Kenneth R	✓	
Dunlap, Patricia C	✓	
Franks, Suzan L R	✓	
Scanlan, David M	✓	
Cobb, John S	✓	
Harmon, Hobart M		
Hall, Betty B		
Owen, Derek		
Melcher, Harold P	✓	
Meader, David R	✓	
Phinizy, James		
Shelton, Richard C	✓	
Tuthill, John G	✓	
Vaillancourt, Steve		
	14-0	Consent

TOTAL VOTE:

Printed: 2/15/2000

Committee Report

COMMITTEE REPORT

COMMITTEE: **Environment and Agriculture**

BILL NUMBER: **HB 1172**

TITLE: providing staggered terms for agricultural advisory board members.

DATE: February 16, 2000 CONSENT CALENDAR YES ☒ NO ☐

☐ OUGHT TO PASS

☒ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

This bill was a request of the Department of Agriculture, Markets & Food. The amendment simply outlines a system of appointments that will work instead of a questionable system in the original bill.

Vote 14-0.

Rep. Kenneth R. Marshall
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Environment and Agriculture

HB 1172, providing staggered terms for agricultural advisory board members. OUGHT TO PASS WITH AMENDMENT

Rep. Kenneth R. Marshall for Environment and Agriculture: This bill was a request of the Department of Agriculture, Markets & Food. The amendment simply outlines a system of appointments that will work instead of a questionable system in the original bill. Vote 14-0.

Blurb

H.B. 1172 - Providing staggered terms for Agricultural Advisory Board members. Ought to Pass with amendment. Rep. Kenneth Marshall for Environment & Agriculture. This was a request of the Dept. of Agriculture, Markets & Food.

~~This bill~~

The amendment simply outlines a system of appointments that will work instead of a questionable system in the original bill

6/6

Egger