Bill as Introduced

HB 246 – AS AMENDED BY THE HOUSE

5jan00.....2114h

1999 SESSION

99-0167
05/09

HOUSE BILL ***246***

AN ACT relative to personnel transfers at the department of safety.

SPONSORS: Rep. Hunter, Hills 7; Rep. Dyer, Hills 8; Rep. Welch, Rock 18

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill requires that personnel transfers involving the division of fire standards and training be done in consultation with the fire standards and training commission prior to the transfer being proposed to the governor and council.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

5jan00.....2114h

99-0167
05/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord One Thousand Nine Hundred and Ninety-Nine

AN ACT relative to personnel transfers at the department of safety.

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

1 Transfers Involving the Division of Fire Standards and Training. Amend RSA 21-P:15, III to read as follows:

III. Any transfer involving the division of fire standards and training undertaken pursuant to this section shall require [~~the concurrence of~~] ***consultation with*** the fire standards and training commission, ***prior to the transfer being proposed to the governor and council.***

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

Committee Minutes

Date: March 21, 2000
Time: 1:10 pm
Room: 101 LOB

The Senate Committee on Executive Departments Administration held a hearing on the following:

HB 246	relative to personnel transfers at the department of safety.

Members of Committee present:	Senator Cohen Senator Francoeur Senator Brown Senator D'Allesandro Senator Trombly

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The Chair, Senator Burt Cohen, opened the hearing.

Senator Burton J. Cohen, D. 24: Representative Hunter doesn't wish to speak, but is here in support. Do you wish to speak? Representative Dyer.

Representative Merton Dyer, Hillsboro, D. 8: Representative Hunter put this bill and I co-sponsored it along with Representative Welch. This deals with the Fire Standards and Training Commission. As background, I was on the Fire Standards and Training Commission for 10/14 years. I really don't know just how many. That is why I co-sponsored it.

In the past the commissioner, the commissioner has leeway in the operation of his department, moving people around a little bit. The original legislation required that the Fire Standards and Training Commission concur with the commissioner on the transfer of personnel and so forth. Well there has been sometimes where you couldn't get a hold of them. There has been some needs to transfer somebody around.

So now we changed the word concur with to consultation with the Fire Standards prior to the transfer being proposed to the Governor of Council. I

think it will make smoother operation across the river. I would hope that you would support it.

Senator Burton J. Cohen, D. 24: Thank you. Senator Francoeur.

Senator Gary R. Francoeur, D. 14: How often do they transfer people? Is this something that happens once every couple years?

Representative Merton Dyer, Hillsboro, D. 8: I know of only one or two in the years that I have been on it. It does not happen very often.

Senator Gary R. Francoeur, D. 14: Did it create problem?

Representative Merton Dyer, Hillsboro, D. 8: No, I don't think it caused any real problems. Fire Standards and Training Council is very protective of their turf. They were administratively attached at one time to the Department of Education. We were free standing for awhile when I was on. Then I made the motion that we go as part of the Department of Safety.

So this as a result the original, they are very protective of their staff. The time has come know when it needs to be operated the same fashion pretty much as the other departments are in... I believe the members of the council have approved in and I think one member is here and Rick Mason is also the Executive Secretary, he is here also.

Senator Burton J. Cohen, D. 24: Senator D'Allesandro.

Senator Lou D'Allesandro, D. 20: Representative Dyer. How many employees do they have at the...?

Representative Merton Dyer, Hillsboro, D. 8: I don't know Senator. I will leave that to Rick Mason. He could tell you accurately.

Senator Lou D'Allesandro, D. 20: Thank you.

Senator Burton J. Cohen, D. 24: Any further questions from the committee. Seeing none. Thank you very much.

Representative Merton Dyer, Hillsboro, D. 8: I would add a comment to Senator D'Allesandro. They have an awful lot of part-time employees. People that are out in the field and working. How many permanent employees I really don't know. I can't answer that. Thank you.

Senator Burton J. Cohen, D. 24: Mr. Mason, you didn't sign up to speak, but perhaps you can answer the question.

Rick Mason: I can certainly answer the question. We are authorized 16 employees. We have 15 right now. Three are out of our revenue account and I don't feel like filling that one in at this particular time.

Senator Lou D'Allesandro, D. 20: The 15 are permanent personnel.

Rick Mason: Yes they are. We have about, I know that there are 9 part-time program coordinators that kind of oversee little things. Then we have about 115 very part time-instructors.

Senator Lou D'Allesandro, D. 20: So in the course of a transfer. What would this entail with such few employees? Where would they be transferred to?

Rick Mason: I think this was just looked at as it is a housekeeping thing. If it ever came up, you have the Fire Standards and Training Commission that meets once a month and then the Governor of Council meets ever other week. So if there was something that was time sensitive it could hold it up for quite awhile.

Senator Burton J. Cohen, D. 24: The chair recognizes Brian Thibeault.

Brian Thibeault: Thank you Mr. Chairman, members of the committee. I am here today representing New Hampshire Fire Standards and Training Commission and the New Hampshire Association of Fire Chiefs. This bill to my understanding was introduced at the request of the Department of Safety as a housekeeping bill.

I believe this was the only transfer language that was different than the other divisions in the Department of Safety. They want to model it just like the others by striking the words in concurrent. There was some concerns voiced by the Fire Standards and Training Commission as well as their constituents as to moving equipment. Questions came up. Does this mean they can move some vehicles or move equipment to another division?

Without the wording with concurrence it means we could do that. It could happen without notice to any to the organizations. Our concern is that we need to have notice and we need to have a chance to have a voice. Through the lobbyist of the New Hampshire Association of Fire Chiefs and the bill sponsors Representative Hunter and Dyer. We sat down and molded a new amendment that says after consultation with. That just make sure that the

commission and the constituent members have notice of what Commissioner Flynn hopes to accomplish. After we did that I can say that the Fire Standards and Training Commission as well as he New Hampshire Association of Fire Chiefs stand in favor of this bill as amended.

Senator Burton J. Cohen, D. 24: Thank you. Questions from the committee? Seeing none Thank you very much.

Brian Thibeault: Thank you.

Senator Burton J. Cohen, D. 24: That completes our list of people whom signed up to speak. Anyone else wishing to speak to HB 246? Seeing none we will close the hearing.

Respectfully submitted
Zita-Maria Wescott
Committee Secretary

3-21-00

HB 2416

1:10 pm

BC -

Rep Dyer - Co Sponsored

Why Co Sponsored

Commissioner has some leeway

original legislation transfer personnel

Needs to transfer

Concur to Cancellation

Smoother operation

GF -

Dyer - Not very often

GF - Create problem

Dyer - No

Very protective of terf

Freestanding

Department of Safety

Needs to be operated in same

fashion.

BC -

CD - How many employees

Dyer - Don't know

BC -

Dyer - ~~offe~~ aphal last

BC -

Mason - 16 employees
3 out of Revenue
15 permanent
9 part time Admins
1 1/2 part

CD - Course of transfer.

Mason - looked @ as Housekeeping
things

time sensative

BC -

Brian Tebo - Rep. fire +
NH Association
Transfer language that
was different
Concerns voiced.
as well as constituents.
Mail vehicles
Concern need to have a
voice
~~Committee~~ Bill sponsors.
worked new amendment
Hopes to accomplish.
NH Association.

BC - seeing none
Close Hearing
1:15pm

Speakers

SENATE EXECUTIVE DEPTS. & ADMIN. COMMITTEE

Date 3-21-00 Time 1:00 pm Public Hearing On HB 246

Appearing in FAVOR: *(Please print)* **Please check box at left to speak.**

Speaking?	Name	Address	Representing
☑	Merton Dyer	Peterborough	Himself
☑	Bruce F Hunter	Goffstown	Hillsboro #7
☑	Richard Mason	Portsmouth	NH Fire Training
☑	Brian Thibeault	Plymouth	NH. Fire Standards Training Commission/NHAFC
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Appearing in OPPOSITION: *(Please Print)* **Please check box at left to speak.**

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Voting Sheets

Senate Executive Depts. & Admin. Committee
EXECUTIVE SESSION

HB 246

Hearing date: 3-21-00 Room: 101 GOR

Motion of: OTP

Made by Senator:			*Seconded by Senator:*		
	Cohen	☐		Cohen	☐
	Francoeur	☐		Francoeur	☐
	M. Brown	☐		M. Brown	☑
	D'Allesandro	☐		D'Allesandro	☐
	S. Larsen	☐		S. Larsen	☐
	S. Roberge	☐		S. Roberge	☐
	Trombly	☑		Trombly	☐

5-0

Committee Member	*Present*	*Vote*	*Reported out by*
Senator Burton J. Cohen, Chairman	☐	✓	
Senator Gary Francoeur, Vice-Chair	☐	✓	
Senator Mary E. Brown	☐	✓	
Senator Lou D. Allesandro	☐	✓	
Senator Sylvia B. Larsen	☐		
Senator Sheila Roberge	☐		
Senator Rick A. Trombly	☐	✓	—

*Amendments:

NOTES:

Committee Report

Date: March 21, 2000 Time: 1:10 pm

The Senate Committee on Executive Departments Administration held its hearing in Room 101 LOB, Concord, New Hampshire.

BILL NO.: HB 246 TITLE: relative to personnel transfers at the department of safety.

Members of the Committee present: Senator Cohen
Senator Francoeur
Senator Brown
Senator D'Allesandro
Senator Trombly

Those appearing in favor:

Name and Address	Representing
See Attached.	

Those appearing in opposition:

Name and Address	Representing
See Attached.	

REPORT OF THE COMMITTEE:

- ☒ Ought to Pass
- ☐ Ought to Pass w/ Amendment
- ☐ Inexpedient to Legislate
- ☐ Rereferred
- ☐ Interim Study
- ☐ Continued Hearing
- ☐ Postponed Hearing

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Date:

THE COMMITTEE ON Executive Departments Administration

to which was referred House Bill 246

AN ACT relative to personnel transfers at the department of safety.

VOTE: 5-0

Having considered the same, report the same without amendment and recommend that the bill: **OUGHT TO PASS.**

Senator Rick A. Trombly
For the Committee